



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Air Enforcement: Alabama Department of Environmental Management and Decatur, Alabama Animal Feed Manufacturing Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Alabama Farmers Cooperative, Inc. (“AFCI”) entered into a Consent Order (“CO”) to address an alleged violation of the Alabama Air Regulations. See Consent Order No. 19-CAP.

The CO provides that AFCI is the owner and/or operator of an animal feed manufacturing facility (“Facility”) in Decatur, Alabama.

ADEM is stated to have previously issued an air permit to AFCI. The air permit authorized the construction and operation of 90 TPH Truck Receiving and Storage with Baghouse which included 50 TPH Truck Receiving Pit #1 and 40 TPH Truck Receiving Pit #2.

ADEM is stated to have conducted an annual inspection of the Facility on June 27, 2019. The agency is further stated to have identified unauthorized emissions from the receiving conveyance system located above the storage bins.

A Notice of Violation was issued to AFCI for alleged failure to notify ADEM of the unauthorized emissions and not maintaining the system as required by the permit.

AFCI responded to ADEM that the conveyance was not designed to have emissions and that a lid was found to be malfunctioning due to wear. The responses are stated to have further indicated a malfunctioning lid on the conveyance transfer point constituted the cause of the unauthorized emissions. The responses also are stated to have indicated that a temporary patch had been installed until a new lid could be delivered and installed.

AFCI neither admits nor denies ADEM’s contentions.

A civil penalty in the amount of \$5,000 is assessed.

A copy of the CO can be downloaded [here](#).