

Air Enforcement: U.S. Environmental Protection Agency and Mason City, Iowa, Portland Cement Manufacturing Facility Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Lehigh Cement Company LLC (“Lehigh”) entered into a November 17th Consent Agreement (“CA”) addressing alleged violations of a Clean Air Act Title V Permit. See Docket No. CAA 07-2021-0012.

The CA provides that Lehigh is the owner and/or operator of a portland cement manufacturing facility/kiln (“Facility”) in Mason City, Iowa.

The Facility is stated to have a permitted rated capacity of 150 short tons of clinker per hour.

The CA describes the Facility as a Clean Air Act major source required to demonstrate initial and continuous compliance with the standards of 40 C.F.R. Part 63, Subpart LLL. In addition, the Facility is stated to be subject to the Clean Air Act Title V permitting program. The Iowa Department of Natural Resources is stated to have issued a Title V operating permit to the Facility in 2017.

EPA Region 7 is stated to have conducted a Clean Air Act inspection at the Facility on July 30, 2019. Further, the federal agency is stated to have sent a Clean Air Act Section 114 information request to Lehigh on November 21, 2019. Such request is stated to have required the submission of specific data to assess the Facility’s compliance status with 40 C.F.R. Part 63, Subpart LLL.

Lehigh is stated to have submitted responses to the information request on December 19, 2019, and January 30, 2020.

The CA alleges the following violations:

- Failure to operate the Electrostatic Precipitator upon start-up of the kiln
- Exceedance of the EP 62 Coal Mill Emission Limit
- Failure to demonstrate compliance through stack testing with the 40 C.F.R. Part 63 Subpart LLL emission standards for Particulate Matter
- Failure to submit the Semi-Annual Report on or before September 30, 2017, as required by the Title V Permit
- Failure to submit the 2018 Title V Emissions Inventory on or before March 31, 2019, as required by the Title V Permit
- Failure to notify the Iowa Department of Natural Resources of its intent to perform compliance testing, as required by 40 C.F.R. Part 63 Subpart LLL

- Failure to submit a written compliance demonstration report for compliance testing performed in July 2018, August 2018, and October 2019, in a timely manner as required by the Title V Permit
- Failure to conduct a performance test for PM on EU25 within the required timeframes established in 40 C.F.R. Part 63 Subpart LLL on June 7, 2017

Lehigh neither admits nor denies the alleged violations of law.

The CA assesses a civil penalty of \$197,500.

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