

Air Enforcement: Alabama Department of Environmental Management and National Cement Company of Alabama, Inc. Enter Into Consent Order



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Alabama Department of Environmental Management ("ADEM") and National Cement Company of Alabama, Inc. ("National Cement") Enter Into Consent Order ("CO") addressing alleged violations of an air permit. See Consent Order No. XX-XXX-CAP.

The CO provides that National Cement operates a cement manufacturing facility ("Facility") in Ragland, Alabama.

The Facility operates the rotary cement kiln and supporting equipment pursuant to the authority of a Major Source Operating Permit ("Permit").

ADEM is stated to have received National Cement's semi-annual monitoring report on May 30, 2023. The due date for the report is stated to have been May 25, 2023. It was determined that sources covered by the Facility's air permits were not addressed/included in the report.

A resubmittal was requested on June 6, 2023. The requested revised report is stated to have not been received as of January 31, 2024.

ADEM conducted an inspection of the Facility on August 22, 2023. Further, the Agency requested certain records be provided regarding sources covered by the air permits and Major Source Operating Permits. The records are stated to have not been provided as of January 31, 2024.

National Cement submitted its semi-annual report and Annual Compliance Certification, due November 20, 2023, on November 27, 2023. These reports are stated to have failed to address sources covered by the air permits. The requested revised permits are stated to have not been received as of January 31, 2024.

National Cement states in the CO:

- Commitment to operating the Facility in full compliance with its permits and applicable laws and regulations.
- The construction of a new kiln at the Facility resulted in force majeure circumstances creating certain challenges.
- Numerous updates have been provided in an open dialogue with ADEM regarding the circumstances that have been provided.

- Considerable resources have been devoted toward addressing challenges in a manner that will ensure ongoing compliance.
- The Facility has not gained economic advantage from the alleged noncompliance.
- An outside consultant has been retained to provide additional resources and expertise.
- Significant internal resources have been devoted toward achieving and maintaining compliance.

National Cement neither admits nor denies ADEM's contentions.

A civil penalty of \$22,500.00 is assessed.

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