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## Air Enforcement: Alabama Department of Environmental Management and Sumter County, Alabama, Aggregate Manufacturing Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Arcosa LW BR, LLC, (“Arcosa”) entered into a February 8th Consent Order (“CO”) addressing alleged violations of an air permit.

The CO provides that Arcosa operates a light weight aggregate manufacturing facility (“Facility”) in Sumter County, Alabama.

The Facility is stated to include a:

- raw clay crushing and delivery system;
- kiln dust transport system;
- slider crushing system;
- finished aggregate screening and crushing system;
- aggregate storage and loading area; and
- coal mill.

These activities are operated pursuant to the authority of Major Source Operating Permit No. 412-0005 (“Permit”).

Proviso No. 1 of the Emissions section of the Permit addresses opacity monitoring. Proviso No. 2 of the Recordkeeping section of the Permit addresses recordkeeping associated with Method 9 testing.

ADEM is stated to have conducted an inspection at the Facility on September 6, 2018. Such inspection is stated to have identified weekly Method 22 observations indicating the presence of visible emissions from the previously referenced processes, with no follow-up Method 9 observations being conducted and recorded.

The CO states that ADEM alleged that Arcosa failed to conduct and record Method 9 observations in response to visible emissions during Method 22 observations, in violation of the Permit.

Arcosa is stated to have indicated to ADEM that:

- The failure to conduct and record the required Method 9 observations was due to its confusion about the requirements of the Permit

- Steps have been taken to prevent such issues in the future and make responsible employees aware of relevant Permit requirements

Arcosa neither admits nor denies ADEM's contentions.

A civil penalty of \$15,000 is assessed.

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