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Air Enforcement: Alabama Department of Environmental Management and Marengo County Cement Manufacturing Facility Enter into Consent Order

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The Alabama Department of Environmental Management ("ADEM") and CEMEX Southeast, LLC, ("CEMEX") entered into a Consent Order ("CO") addressing an alleged violation of an air permit.

The CO provides that CEMEX operates a cement manufacturing facility ("Facility") in Marengo County, Alabama.

The Facility is stated to encompass a rotary cement kiln and supporting equipment. It operates pursuant to Air Permit No. 105-0002-X016. The air permit is described as a Major Source Operating Permit.

Emissions Standards Proviso No. 13 of the air permit states:

The combined particulate matter (PM) emissions from the kiln or in-line kiln/raw mill and the alkali bypass shall not exceed 0.07 lb/ton clinker. [Regulation] 40 CFR Part 63 Subpart LLL: § 63.1343(b)(1)".

The Facility is stated to have conducted a stack test for particulate matter on June 30, 2021, and July 16, 2021, on the kiln Main and Bypass stacks in accordance with Method 5 of 40 CFR Part 60, Appendix A. ADEM is stated to have not been notified that the emissions during the stack test exceeded the allowable limit.

ADEM is stated to have received the stack report on September 13, 2021, which indicated that the test result (combined weight average) was 0.099 lb/ton clinker. This is alleged to have exceeded the limit of 0.07 lb/ton clinker.

CEMEX is stated to neither admit nor deny ADEM's contention.

A civil penalty of \$25,000 is assessed.

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