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



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

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The Alabama Department of Environmental Management ("ADEM") and Lhoist North America of Alabama, LLC ("Lhoist") entered into a June 19th Consent Order ("CO") addressing an alleged violation of an air permit.

The CO provides that Lhoist operates a lime manufacturing facility ("Facility") in Shelby County, Alabama.

The Facility holds a Major Source Operating Permit ("Permit").

Four rotary lime kilns (Kiln No. 1, Kiln No. 2, Kiln No. 3, and Kiln No. 4) are operated pursuant to the Permit. Emission Standards Proviso No. 5 in the Calcining process section of the Permit provides in part:

In accordance with 40 CFR 63, Subpart AAAAA, "Emissions Limitations", affected sources shall comply with the following: (a) Each applicable emissions limit specified in Table No. 1 of Subpart AAAAA. Table No. 1 of Subpart AAAAA, "Emissions Limits", is provided in Appendix A [of the Permit]. [Regulation] 40 CFR Part 63 Subpart LLL: §63.7090(a)". For lime kilns that have a wet scrubber installed and operated before January 5, 2004, Table 1 in Appendix A of the Permit states "PM [Particulate Matter] emissions must not exceed 0.60 lb/tsf.

Lhoist is stated to have conducted a stack test for particulate matter ("PM") on December 17, 2021, on Kiln No. 2 in accordance with Method 5 of 40 CFR Part 60, Appendix A. Additional PM testing is stated to have been conduced on Kiln No. 2 on December 20 and 21, 2021.

ADEM received a stack test report from the Facility indicating that PM emissions of 0.64 lb/tsf and 0.98 lb/tsf for the December 17 and 20, 2021, performance tests, respectively, exceeded the emissions limit of the Permit. Further, results from the report were stated to have indicated PM emissions of 0.37 lb/tsf for the December 21, 2021, performance test, exceeded the relevant emissions limit of the Permit.

Lhoist contends that the average PM emission rate as measured by the first three runs was over the applicable limit while the average PM emission rate as measured by the last three runs was less than the applicable limit and demonstrated compliance. Further, it states to the extent this testing indicates any deviation, such deviation was fleeting and resolved itself.

Lhoist also notes inspection and cleaning of the Kiln No. 2 scrubber and Lhoist shut down Kiln No. 2 to investigate the performance of the scrubber.

Unusual plugging of one of the water supply pipes for the scrubber was identified. The supply line was cleaned and operations were confirmed to have been restored.

Additional stack testing to confirm compliance with applicable PM limit was undertaken. After a discarded test because of fouling of test material, Kiln No. 2 was indicated to be complying at 62% of the applicable limit. As a result, Lhoist believes the deviation should not be considered serious and does not indicate any lack of care on the part of Lhoist.

The CO provides that Lhoist neither admits nor denies ADEM's contentions.

A civil penalty in the amount of $40,000 is assessed.

A copy of the CO can be downloaded here.