

ALABAMA DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF  
NATIONAL CEMENT COMPANY  
OF ALABAMA, INC.  
RAGLAND, ALABAMA

ORDER NO. 92-013-AP

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, §22-22A-1 et seq., Code of Alabama 1975, as amended, and the Alabama Air Pollution Control Act, §22-28-1 et seq., Code of Alabama 1975, as amended, the Alabama Department of Environmental Management (hereinafter, the "Department") makes the following FINDINGS OF FACT:

1. National Cement Company of Alabama, Inc. (hereinafter, "National Cement") operates a cement manufacturing plant in Ragland, St. Clair County, Alabama.
2. In 1988, the Department issued ADEM Air Permit No. 410-0002-X003 to National Cement, which authorized the operation of a kiln system with two electrostatic precipitators and two baghouses.
3. The aforementioned kiln system is subject to the New Source Performance Standards as defined in 40 CFR Part 60, Subpart F, Standards of Performance for Portland cement plants, which limits particulate emissions from the kiln stack to 0.30 lb/ton of feed and opacity to twenty percent (20%). These standards have been adopted by the Department by reference

ISSUED 10-22-91	SERVED 10-25-91
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through the Environmental Management Commission as ADEM Admin. Code R. 335-3-10-.02(4).

4. The Department received a letter dated December 27, 1990 from National Cement which advised of the facility's problem in maintaining opacity from the main kiln stack below the 20% limit. The letter also stated that a plant shutdown had been scheduled for January 14, 1991, and in the interim, the raw feed rates to the kiln would be reduced in order to aid in the maintaining of opacity from the precipitator below the 20% limit.

5. The Department requested that an EPA Method 5 Reference test for particulate emissions be performed by National Cement on the kiln stack in a January 4, 1991 letter.

6. The aforementioned test was performed by National Cement on January 9, 1991.

7. On January 24, 1991, the Department received National Cement's January 22, 1991 letter which reported the results of the particulate emissions test on the kiln stack. Those results showed that the kiln emitted particulate matter during the test at a rate of 0.35 lb/ton of feed to the kiln.

8. The Department sent a Notice of Violation to National Cement on February 12, 1991 for the exceedance that is noted in Finding No. 7.

9. The Department received a letter from National Cement dated February 21, 1991 which responded to the Department's Notice of Violation.

10. Furthermore, on February 5, 1991, the Department received the company's December 1990 continuous emissions monitor report for the kiln stack which indicated the opacity exceedances for National Cement's kiln stack for that month. The report indicated that National Cement exceeded the 20% opacity limit on the main kiln stack 39.3% of the operating time during the month.

11. On February 22, 1991, the Department received the company's January 1990 continuous emissions monitor report for the kiln stack which indicated that National Cement exceeded the 20% opacity limit on the main kiln stack 34.5% of the operating time during the month of January.

ORDER

Based upon the foregoing FINDINGS OF FACT and pursuant to §§22-22A-5(10), 22-22A-5(12), 22-22A-5(18), 22-28-10(2) and 22-28-18, Code of Alabama 1975, as amended, it is hereby ORDERED:

A. That National Cement shall submit a plan for assuring future compliance with opacity limits and particulate matter limits as prescribed in the Department's Administrative Code no later than 30 days of receipt of this Order.

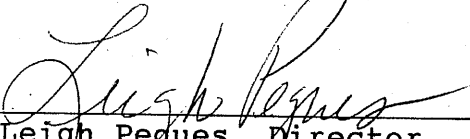
B. That National Cement shall install, by January 31, 1992, a Neundorfer Engineered Systems' voltage control system to its precipitator as described in National Cement's submission to the Department on September 26, 1991.

C. That there is hereby assessed a civil penalty against

National Cement in the amount of \$9,500.00 for the violations cited herein, to be paid to the Alabama Department of Environmental Management within 30 days of receipt of this Order.

D. That the failure of National Cement to comply with any of the provisions of this Order shall constitute cause for the commencement of legal or other appropriate enforcement action for the recovery of civil penalties, criminal fines, or other appropriate relief by the Department or others against National Cement.

ORDERED and ISSUED this 22<sup>nd</sup> day of October 1991.

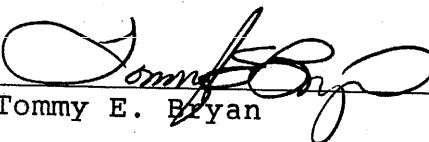
  
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Leigh Pegues, Director  
Alabama Department of  
Environmental Management  
1751 Cong. W. L. Dickinson Drive  
Montgomery, Alabama 36130  
(205) 271-7977

CERTIFICATE OF SERVICE

I, Tommy E. Bryan, hereby certify that I have served the foregoing administrative order, No. 92-013-AP, upon National Cement Company of Alabama, Inc. by sending the same, postage paid, through the United States Mail, as Certified Mail No. P 622 952 578, with instructions to forward and return receipt requested, to:

Mr. C. V. Henry, President  
National Cement Company of Alabama, Inc.  
2000 Southbridge Parkway  
Suite 620  
Birmingham, Alabama 35209

DONE this 22<sup>nd</sup> day of October, 1991.

  
Tommy E. Bryan