



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

## **St. Marys Cement Inc. Clean Air Act Settlement Information Sheet**

### **Overview**

On September 8, 2008, the U.S. Environmental Protection Agency and the Department of Justice announced a major Clean Air Act (CAA) New Source Review Program (NSR) settlement with St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc. to resolve CAA violations at their Portland cement manufacturing facility near Dixon, Illinois.

Under the settlement, St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc. will spend approximately \$1.9 million within 12 months after the settlement to reduce harmful emissions of nitrogen oxides (NO<sub>x</sub>) by approximately 2,700 tons per year across all four kilns at the Dixon Plant.

This agreement requires the companies to upgrade existing state-of-the-art air pollution controls on kilns 1, 2, and 3, and to replace or shut down kiln 4. Further, the settlement ensures that a proposed new kiln at the plant will install the Best Available Control Technology for NO<sub>x</sub>. Under the Agreement, the Dixon Plant must comply with a plant wide tonnage cap for NO<sub>x</sub> of 1,900 tons per year, beginning two years after the settlement.

The consent decree will result in approximately 2,700 tons of NO<sub>x</sub> emissions reductions annually from the Dixon Plant. The companies will also pay an \$800,000 civil penalty, of which \$200,000 is due within 30 days of the effective date of the settlement, and the remaining \$600,000 is due by March 1, 2009, with interest.

### **Company**

Leading Portland cement manufacturers in the United States and Canada, St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc. own and operate a Portland cement manufacturing facility in or near Dixon, Illinois (Dixon Plant or facility). Portland cement is a fine gray or white powder and is the generic term for the type of cement used in virtually all concrete. Portland cement is manufactured by chemically transforming a homogenized mixture of finely ground quarried materials by the addition of heat.

### **Portland Cement Manufacturing Enforcement Effort**

EPA has dozens of active investigations of Portland cement manufacturing facilities for compliance with the Clean Air Act's New Source Review requirements. This settlement is the

first completed enforcement action as part of EPA's New Source Review National Enforcement Priority for the Portland cement manufacturing sector.

### **Clean Air Act Violations**

Based on information received from the companies, EPA alleges that the companies illegally modified the four cement kilns at the Dixon Plant, thereby increasing air pollution. Specifically, the government cited the companies for making modifications at its plant without first obtaining necessary pre-construction permits and installing required pollution control equipment.

### **Environmental Benefits**

This settlement requires St. Marys Cement Inc. (U.S.) and St. Barbara Cement Inc. to upgrade existing state-of-the-art air pollution controls on kilns 1, 2, and 3, and to permanently replace or shut down kiln 4. Under the Agreement, the Dixon Plant must comply with a plant wide tonnage caps for NO<sub>x</sub> of 1,900 tons per year, beginning two years after the settlement, representing an overall reduction of approximately 2,700 tons per year of NO<sub>x</sub> as a result of the settlement.

### **Nitrogen Oxides**

Nitrogen Oxides cause a variety of health problems and adverse environmental impacts, such as ground-level ozone, acid rain, particulate matter (PM), global warming, water quality deterioration, and visual impairment. Nitrogen oxides play a major role, with volatile organic chemicals, in the atmospheric reactions that produce ozone.

### **Settlement Terms:**

#### *Injunctive Relief-*

- Substantial reductions of NO<sub>x</sub> and upgrade and continuous operation of NO<sub>x</sub> controls.
- Mandatory and permanent shutdown of kiln 4, with an option to replace kiln 4 with a new, state-of-the-art lower emitting kiln in the future.
- Reduction of approximately 2,700 tons per year of NO<sub>x</sub> from the Dixon Plant within 12 months of the effective date of the settlement.
- Incorporation of proposed Consent Decree requirements into enforceable permits.

#### *Civil Penalty-*

- The Defendants will pay an \$800,000 civil penalty.