

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

1/7/2014

Tim Weible  
Lafarge North America - Paulding Plant  
11435 County Road 176  
Paulding, OH 45879-0226

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL  
Facility ID: 0363000002  
Permit Number: P0115401  
Permit Type: Administrative Modification  
County: Paulding

Certified Mail

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	MAJOR GHG
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Dear Permit Holder:

Enclosed please find a final Ohio Environmental Protection Agency (EPA) Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. Because this permit contains conditions and restrictions, please read it very carefully. In this letter you will find the information on the following topics:

- **How to appeal this permit**
- **How to save money, reduce pollution and reduce energy consumption**
- **How to give us feedback on your permitting experience**
- **How to get an electronic copy of your permit**

**How to appeal this permit**

The issuance of this PTI is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17th Floor  
Columbus, OH 43215

## **How to save money, reduce pollution and reduce energy consumption**

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. Additionally, all or a portion of the capital expenditures related to installing air pollution control equipment under this permit may be eligible for financing and State tax exemptions through the Ohio Air Quality Development Authority (OAQDA) under Ohio Revised Code Section 3706. For more information, see the OAQDA website: [www.ohioairquality.org/clean\\_air](http://www.ohioairquality.org/clean_air)

## **How to give us feedback on your permitting experience**

Please complete a survey at [www.epa.ohio.gov/survey.aspx](http://www.epa.ohio.gov/survey.aspx) and give us feedback on your permitting experience. We value your opinion.

## **How to get an electronic copy of your permit**

This permit can be accessed electronically via the eBusiness Center: Air Services in Microsoft Word format or in Adobe PDF on the Division of Air Pollution Control (DAPC) Web page, [www.epa.ohio.gov/dapc](http://www.epa.ohio.gov/dapc) by clicking the "Search for Permits" link under the Permitting topic on the Programs tab.

If you have any questions, please contact Ohio EPA DAPC, Northwest District Office at (419)3528461 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469.

Sincerely,



Michael W. Ahern, Manager

Permit Issuance and Data Management Section, DAPC

Cc: U.S. EPA  
Ohio EPA-NWDO; Michigan; Indiana



**FINAL**

**Division of Air Pollution Control**  
**Permit-to-Install**  
for  
Lafarge North America - Paulding Plant

Facility ID: 0363000002  
Permit Number: P0115401  
Permit Type: Administrative Modification  
Issued: 1/7/2014  
Effective: 1/7/2014





**Division of Air Pollution Control**  
**Permit-to-Install**  
for  
Lafarge North America - Paulding Plant

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## Authorization

Facility ID: 0363000002  
Facility Description: Cement, Hydraulic  
Application Number(s): A0048749, A0049291  
Permit Number: P0115401  
Permit Description: Administrative Modification in response to U.S. EPA Consent Decree requirement to incorporate requirements of the CD into the PTI for the two cement kilns.  
Permit Type: Administrative Modification  
Permit Fee: \$0.00  
Issue Date: 1/7/2014  
Effective Date: 1/7/2014

This document constitutes issuance to:

Lafarge North America - Paulding Plant  
11435 County Road 176  
P.O. Box 160  
Paulding, OH 45879-0226

of a Permit-to-Install for the emissions unit(s) identified on the following page.

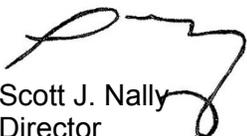
Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Northwest District Office  
347 North Dunbridge Road  
Bowling Green, OH 43402  
(419)352-8461

The above named entity is hereby granted a Permit-to-Install for the emissions unit(s) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency



Scott J. Nally  
Director



## Authorization (continued)

Permit Number: P0115401

Permit Description: Administrative Modification in response to U.S. EPA Consent Decree requirement to incorporate requirements of the CD into the PTI for the two cement kilns.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

**Group Name: Cement Kiln Group: Kilns 1 and 2**

<b>Emissions Unit ID:</b>	<b>P014</b>
Company Equipment ID:	Cement Kiln #1
Superseded Permit Number:	P0115051
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>P015</b>
Company Equipment ID:	Cement Kiln #2
Superseded Permit Number:	P0115051
General Permit Category and Type:	Not Applicable



**Final Permit-to-Install**  
Lafarge North America - Paulding Plant  
**Permit Number:** P0115401  
**Facility ID:** 0363000002  
**Effective Date:** 1/7/2014

## **A. Standard Terms and Conditions**



## **1. Federally Enforceable Standard Terms and Conditions**

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:
  - (1) Standard Term and Condition A.2.a), Severability Clause
  - (2) Standard Term and Condition A.3.c) through A. 3.e) General Requirements
  - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
  - (4) Standard Term and Condition A.9., Reporting Requirements
  - (5) Standard Term and Condition A.10., Applicability
  - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
  - (7) Standard Term and Condition A.14., Public Disclosure
  - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
  - (9) Standard Term and Condition A.16., Fees
  - (10) Standard Term and Condition A.17., Permit Transfers

## **2. Severability Clause**

- a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

## **3. General Requirements**

- a) Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.



- b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.
- c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d) This permit does not convey any property rights of any sort, or any exclusive privilege.
- e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

#### **4. Monitoring and Related Record Keeping and Reporting Requirements**

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
  - (1) The date, place (as defined in the permit), and time of sampling or measurements.
  - (2) The date(s) analyses were performed.
  - (3) The company or entity that performed the analyses.
  - (4) The analytical techniques or methods used.
  - (5) The results of such analyses.
  - (6) The operating conditions existing at the time of sampling or measurement.
- b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
  - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Ohio EPA DAPC, Northwest District Office.



- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Ohio EPA DAPC, Northwest District Office. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.
  - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted to the Ohio EPA DAPC, Northwest District Office every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
  - (4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

## **5. Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Ohio EPA DAPC, Northwest District Office in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to OAC rule 3745-15-06.

Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emission unit(s) that is (are) served by such control system(s).

## **6. Compliance Requirements**

- a) All applications, notifications or reports required by terms and conditions in this permit to be submitted or "reported in writing" are to be submitted to Ohio EPA through the Ohio EPA's eBusiness Center: Air Services web service ("Air Services"). Ohio EPA will accept hard copy submittals on an as-needed basis if the permittee cannot submit the required documents through the Ohio EPA eBusiness Center. In the event of an alternative hard copy submission in lieu of the eBusiness Center, the post-marked date or the date the document is delivered in person will be recognized as the date submitted. Electronic submission of applications, notifications or reports required to be submitted to Ohio EPA fulfills the requirement to submit the required information to the Director, the appropriate Ohio EPA District Office or contracted



local air agency, and/or any other individual or organization specifically identified as an additional recipient identified in this permit unless otherwise specified. Consistent with OAC rule 3745-15-03, the electronic signature date shall constitute the date that the required application, notification or report is considered to be "submitted". Any document requiring signature may be represented by entry of the personal identification number (PIN) by responsible official as part of the electronic submission process or by the scanned attestation document signed by the Authorized Representative that is attached to the electronically submitted written report.

Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a Responsible Official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

- b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
  - (1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
  - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
  - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
  - (4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- c) The permittee shall submit progress reports to the Ohio EPA DAPC, Northwest District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
  - (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
  - (2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

## **7. Best Available Technology**

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.



**8. Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

**9. Reporting Requirements**

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Ohio EPA DAPC, Northwest District Office.
- b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Ohio EPA DAPC, Northwest District Office. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

**10. Applicability**

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s) not exempt from the requirement to obtain a Permit-to-Install.

**11. Construction of New Sources(s) and Authorization to Install**

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. This deadline may be extended by up to 12 months if application is made to the



Director within a reasonable time before the termination date and the permittee shows good cause for any such extension.

- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in "Air Services" along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update electronically will constitute notifying the Director of the permanent shutdown of the affected emissions unit(s).
- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

Unless otherwise exempted, no emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31 and OAC Chapter 3745-77 if the restarted operation is subject to one or more applicable requirements.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

## **12. Permit-To-Operate Application**

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if operation of the proposed new or modified source(s) as authorized by this permit would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d) must be obtained before operating the source in a manner that would violate the existing Title V permit requirements.



**13. Construction Compliance Certification**

The applicant shall identify the following dates in the "Air Services" facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

**14. Public Disclosure**

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

**15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations**

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

**16. Fees**

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

**17. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in "Air Services" once the transfer is legally completed. The change must be submitted through "Air Services" within thirty days of the ownership transfer date.

**18. Risk Management Plans**

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

**19. Title IV Provisions**

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.



**Final Permit-to-Install**  
Lafarge North America - Paulding Plant  
**Permit Number:** P0115401  
**Facility ID:** 0363000002  
**Effective Date:** 1/7/2014

## **B. Facility-Wide Terms and Conditions**



**Final Permit-to-Install**  
Lafarge North America - Paulding Plant  
**Permit Number:** P0115401  
**Facility ID:** 0363000002  
**Effective Date:** 1/7/2014

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
  - a) None.



**Final Permit-to-Install**  
Lafarge North America - Paulding Plant  
**Permit Number:** P0115401  
**Facility ID:** 0363000002  
**Effective Date:** 1/7/2014

## **C. Emissions Unit Terms and Conditions**



**1. Emissions Unit Group -Cement Kiln Group: Kilns 1 and 2: P014,P015,**

EU ID	Operations, Property and/or Equipment Description
P014	Cement kiln 1 (north), waste-derived fuel and coal, with baghouse with dry absorbent addition, and selective non-catalytic reduction
P015	Cement kiln 2 (south), waste-derived fuel and coal, with baghouse with dry absorbent addition, and selective non-catalytic reduction

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-11(B)	75 pounds per hour (lbs/hr) of particulate emissions (PE)
b.	OAC rule 3745-17-07(A)	See b)(2)d.
c.	OAC rule 3745-18-69(B)	43.0 pounds sulfur dioxide (SO <sub>2</sub> ) per ton of cement produced
d.	40 CFR Part 61, Subpart FF	Exempt, pursuant to 40 CFR 61.348(d)(4).
e.	40 CFR Part 63, Subpart EEE (40 CFR 63.1200-1221)  See b)(2)b.	emissions standards and related requirements [40 CFR 63.1204 and 63.1220]  See b)(2)a, b)(2)c, c)(1), d)(5), e)(2), and f)(4).
f.	40 CFR 63.1-15 (40 CFR Part 63, Subpart EEE – Appendix)	Table 1 to Subpart EEE of 40 CFR Part 63 – Applicability of General Provisions to Subpart EEE shows which parts of the General Provisions in 40 CFR 63.1-15 apply.
g.	OAC 3745-31-05(A)(3)	See b)(2)e.
h.	Federal Consent Decree	See b)(2)f.



(2) Additional Terms and Conditions

- a. The permittee shall comply with the emissions standards and related requirements of 40 CFR 63.1204, until the next Comprehensive Performance Test and associated requirements are completed and approved, at which time the emissions standards and related requirements of 40 CFR 63.1220 become effective.
- b. In accordance with 40 CFR 63.1200 and 63.1201, this emissions unit is a hazardous waste burning cement kiln subject to the emissions limitations / control measures specified in this section.
- c. The permittee shall comply with the applicable additional requirements required under 40 CFR 63 Subpart EEE, including the following sections:

63.1206	compliance procedures for the standards and operating requirements
63.1213	provisions for compliance date extension
63.1214	implementation and enforcement authority provisions
63.1215	provisions for health based compliance alternatives for chlorine

- d. The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to 40 CFR, Part 63, Subpart EEE.
- e. Best Available Technology has been determined to be compliance with the terms and conditions of this permit.
- f. The facility agreed and consented to entry into a Consent Decree with the United States of America (Civil Action No. 3:10-cv-00044-JPG-CJP, entered January 21, 2010) requiring the permittee to install selective non-catalytic reduction (SNCR) and dry absorbent addition (DAA) units to control NO<sub>x</sub> and SO<sub>2</sub> emissions to the following emission rates:
  - i. P014: 6.01 lbs NO<sub>x</sub> per ton of clinker, as a 30-day rolling average.
  - ii. P014: 5.52 lbs SO<sub>2</sub> per ton of clinker, as a 30-day rolling average.
  - iii. P015: 5.46 lbs NO<sub>x</sub> per ton of clinker, as a 30-day rolling average.
  - iv. P015: 6.80 lbs SO<sub>2</sub> per ton of clinker, as a 30-day rolling average.
- g. The permittee shall maintain a written quality assurance/quality control plan for the continuous NO<sub>x</sub> monitoring system, designed to ensure continuous valid and representative readings of NO<sub>x</sub> emissions in units of the applicable standard(s). The plan shall follow the requirements of 40 CFR Part 60, Appendix F. The quality assurance /quality control plan and a logbook dedicated to the continuous NO<sub>x</sub> monitoring system must be kept on site and available for inspection during regular office hours.



The plan shall include the requirement to conduct quarterly Cylinder Gas Audits or Relative Accuracy Audits as required in 40 CFR Part 60; and to conduct Relative Accuracy Test Audits in units of the standard(s), in accordance with and at the frequencies required per 40 CFR Part 60.

- h. The permittee shall maintain a written quality assurance/quality control plan for the continuous SO<sub>2</sub> monitoring system, designed to ensure continuous valid and representative readings of SO<sub>2</sub> emissions in units of the applicable standard(s). The plan shall follow the requirements of 40 CFR Part 60, Appendix F. The quality assurance /quality control plan and a logbook dedicated to the continuous SO<sub>2</sub> monitoring system must be kept on site and available for inspection during regular office hours.

The plan shall include the requirement to conduct quarterly Cylinder Gas Audits or Relative Accuracy Audits as required in 40 CFR Part 60; and to conduct Relative Accuracy Test Audits in units of the standard(s), in accordance with and at the frequencies required per 40 CFR Part 60.

- i. The continuous emission monitoring system(s) consists of all the equipment used to acquire data to provide a record of emissions and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data recording/processing hardware and software.

c) Operational Restrictions

- (1) The permittee shall comply with the applicable operational restrictions required under 40 CFR 63 Subpart EEE, including the following section:

63.1206	compliance procedures for the standards and operating requirements
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- (2) The permittee shall continuously operate the SNCR technology during all times of kiln operation, except during periods of SNCR technology malfunction.  
[Consent Decree, Paragraph 28]
- (3) The permittee shall continuously operate the DAA technology during all times of kiln operation, except during periods of DAA technology malfunction.  
[Consent Decree, Paragraph 66]

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall collect or require the coal supplier to collect a representative grab sample of each shipment of coal that is received for burning in this emissions unit. The permittee shall perform or require the supplier to perform the coal sampling in accordance with ASTM method D-2234, and analyze the coal sample for sulfur content (percent by weight).

Each sample of coal shall be analyzed for ash content (percent), sulfur content (percent), and heat content (Btu/pound of coal). The analytical methods to be used to determine the ash content, sulfur content, and heat content shall be the most recent version of: ASTM method D3174, Standard Test Method for Ash in the Analysis Sample



of Coal and Coke from Coal; ASTM method D3177, Standard Test Methods for Total Sulfur in the Analysis Sample of Coal and Coke or ASTM method D4239, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods; and ASTM method D5865 Standard Test Method for Gross Calorific Value of Coal and Coke, respectively. Alternative, equivalent methods may be used upon written approval from the appropriate Ohio EPA District Office or local air agency.

- (2) The permittee shall collect or require the blended waste derived fuel supplier to collect a representative grab sample of each batch of blended waste derived fuel to be burned in this emissions unit. All the samples collected each calendar month shall be combined into a composite sample. Each composite sample shall be analyzed for sulfur content (percent by weight). Alternately, a separate analysis may be performed for each batch grab sample, and a monthly arithmetic average of all the analyses computed.

The analysis for sulfur content shall be performed in accordance with ASTM method D4294, ASTM method D240, or ASTM method 6010. Alternative equivalent methods may be used upon written approval by Ohio EPA Northwest District Office.

- (3) The permittee shall collect or require to be collected on a daily basis, a representative grab sample of raw material slurry, clinker, and cement kiln dust produced from or fed into this emissions unit. All the samples collected each calendar month shall be combined into a composite sample. Each composite sample shall be analyzed for sulfur content (percent by weight). Alternately, an analysis may be performed for each daily grab sample, and the analytical results for all the daily grab samples may be used to calculate a monthly arithmetic average.

The analysis for sulfur content shall be performed in accordance with ASTM method C114. Alternative equivalent methods may be used upon written approval by Ohio EPA Northwest District Office.

- (4) In addition to fuel analysis information, the permittee shall calculate and record each month the following information for this emissions unit:
- a. the amount of each coal shipment, in pounds, and the total blended waste derived fuel, in gallons and pounds per batch, burned;
  - b. the amount of raw material slurry, clinker, and cement kiln dust, in pounds, used in or produced;
  - c. the total number of pounds of sulfur dioxide emitted, calculated as follows:
    - i. multiply the sulfur content of coal by the number of pounds of coal that were burned;
    - ii. multiply the sulfur content of the blended waste-derived fuel by the number of pounds of blended waste derived fuel that were burned;
    - iii. multiply the sulfur content of the raw material slurry by the number of pounds of raw material slurry processed;



- iv. multiply the sulfur content of the clinker by the number of pounds of clinker produced;
- v. multiply the sulfur content of the cement kiln dust by the number of pounds of cement kiln dust produced; and
- vi. calculate the SO<sub>2</sub> emissions, in pounds, as follows:

$$\text{SO}_2 \text{ emissions (lbs/month)} = 2^* \times [(i + ii + iii) - (iv + v)]$$

- d. the total number of tons of cement made from clinker produced during each calendar month; and
- e. the sulfur dioxide emitted from this emissions unit for each ton of cement (made from clinker produced) produced, i.e., the total pounds of sulfur dioxide emitted from this emissions unit during each calendar month divided by the number of tons of cement made from clinker produced during each calendar month.

\* This factor (64/32) is required to convert sulfur to SO<sub>2</sub> since 1 lb-mole (32 lbs) of sulfur will yield 1 lb-mole (64 lbs) of SO<sub>2</sub> (S + O<sub>2</sub> ----> SO<sub>2</sub>).

- (5) The permittee shall comply with the applicable monitoring and record keeping requirements required under 40 CFR 63 Subpart EEE, including the following sections:

63.1209	monitoring requirements
63.1211	recordkeeping and reporting requirements

- (6) The permittee shall operate and maintain equipment to continuously monitor and record NO<sub>x</sub> emissions from this emissions unit in units of the applicable standard(s). The continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.

The permittee shall maintain records of all data obtained by the continuous NO<sub>x</sub> monitoring system including, but not limited to:

- a. emissions of NO<sub>x</sub> in parts per million for each cycle time of the analyzer, with no resolution less than one data point per minute required;
- b. emissions of NO<sub>x</sub> in units of the applicable standard(s) in the appropriate averaging period;
- c. results of quarterly cylinder gas audits;
- d. results of daily zero/span calibration checks and the magnitude of manual calibration adjustments;
- e. results of required relative accuracy test audit(s), including results in units of the applicable standard(s);



- f. hours of operation of the emissions unit, continuous NO<sub>x</sub> monitoring system, and control equipment;
- g. the date, time, and hours of operation of the emissions unit without the control equipment and/or the continuous NO<sub>x</sub> monitoring system;
- h. the date, time, and hours of operation of the emissions unit during any malfunction of the control equipment and/or the continuous NO<sub>x</sub> monitoring system; as well as,
- i. the reason (if known) and the corrective actions taken (if any) for each such event in d)(7)g and d)(7)h.

All valid data points generated and recorded by the continuous emission monitoring and data acquisition and handling system shall be used in the calculation of the pollutant concentration and/or emission rate over the appropriate averaging period.

- (7) The permittee shall operate and maintain equipment to continuously monitor and record SO<sub>2</sub> emissions from this emissions unit in units of the applicable standard(s). The continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.

The permittee shall maintain records of all data obtained by the continuous SO<sub>2</sub> monitoring system including, but not limited to:

- a. emissions of SO<sub>2</sub> in parts per million for each cycle time of the analyzer, with no resolution less than one data point per minute required;
- b. emissions of SO<sub>2</sub> in units of the applicable standard(s) in the appropriate averaging period;
- c. results of quarterly cylinder gas audits;
- d. results of daily zero/span calibration checks and the magnitude of manual calibration adjustments;
- e. results of required relative accuracy test audit(s), including results in units of the applicable standard(s);
- f. hours of operation of the emissions unit, continuous SO<sub>2</sub> monitoring system, and control equipment;
- g. the date, time, and hours of operation of the emissions unit without the control equipment and/or the continuous SO<sub>2</sub> monitoring system;
- h. the date, time, and hours of operation of the emissions unit during any malfunction of the control equipment and/or the continuous SO<sub>2</sub> monitoring system; as well as,
- i. the reason (if known) and the corrective actions taken (if any) for each such event in d)(7)g and d)(7)h.



All valid data points generated and recorded by the continuous emission monitoring and data acquisition and handling system shall be used in the calculation of the pollutant concentration and/or emission rate over the appropriate averaging period.

- (8) The permittee shall maintain on site, the document(s) of certification received from the U.S. EPA or the Ohio EPA's Central Office documenting that the continuous NO<sub>x</sub> monitoring system has been certified to meet the requirements of 40 CFR Part 60, Appendix B, Performance Specifications 2 and 6. The letter(s)/document(s) of certification shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon request.
- (9) The permittee shall maintain on site, the document(s) of certification received from the U.S. EPA or the Ohio EPA's Central Office documenting that the continuous SO<sub>2</sub> monitoring system has been certified to meet the requirements of 40 CFR Part 60, Appendix B, Performance Specifications 2 and 6. The letter(s)/document(s) of certification shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon request.
- (10) Except during CEMS breakdowns, repairs, calibration checks, and zero span adjustments, the CEMS shall be operated at all times during kiln operation. Each such CEMS shall be used at each kiln to demonstrate compliance with the NO<sub>x</sub> and SO<sub>2</sub> emission limits established pursuant to the Consent Decree.  
[Consent Decree, Paragraphs 46 and 79]
- (11) Each NO<sub>x</sub> and SO<sub>2</sub> CEMS required pursuant to Paragraph 45 shall monitor and record the applicable NO<sub>x</sub> /SO<sub>2</sub> emission rate from each Kiln stack in units of lbs of NO<sub>x</sub> /SO<sub>2</sub> per ton of clinker produced at such kiln and shall be installed, certified, calibrated, maintained, and operated in accordance with the applicable requirements of 40 CFR Part 60.  
[Consent Decree, Paragraphs 47 and 80]
- (12) The permittee shall collect and record the following information each 'operating day' for each emissions unit:
  - a. total pounds of NO<sub>x</sub> /SO<sub>2</sub> emitted for the emissions unit
  - b. the total tons of clinker produced by the emissions unit
  - c. (beginning after 30 days of operation under this permit) the sum of the pounds of NO<sub>x</sub> /SO<sub>2</sub> emitted for the day, and the previous twenty-nine (29) operating days
  - d. (beginning after 30 days of operation under this permit) the sum of the tons of clinker produced for the day, and the previous twenty-nine (29) operating days
  - e. (beginning after 30 days of operation under this permit) divide the total number of pounds of NO<sub>x</sub> /SO<sub>2</sub> emitted during the thirty (30) operating days by the total tons of clinker produced during the same 30 operating days [i.e. d)(9)c / d)(9)d]

For any day which is not an 'operating day' for an emissions unit, a record stating such shall be made for that day for the unit.



e) Reporting Requirements

- (1) The permittee shall submit reports within 30 days following the end of each calendar quarter to Ohio EPA, Northwest District Office documenting all instances of stack opacity values in excess of the limitations specified in OAC rule 3745-17-07, detailing the date, commencement and completion times, duration, magnitude (percent opacity), reason (if known), and corrective action(s) taken (if any) of each 6-minute block average above the applicable opacity limitation(s).

The reports shall also identify any COMS downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit operating time of the analyzer while the emissions unit was on line shall be included in the quarterly report.

If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the date, time, reason, and corrective action(s) taken for each time period of monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line also shall be included in the quarterly report.

These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

- (2) The permittee shall comply with the applicable reporting requirements required under 40 CFR 63 Subpart EEE, including the following sections:

63.1210	notification requirements
63.1211	recordkeeping and reporting requirements
63.1212	other requirements pertaining to the NIC
63.1207	performance testing requirements

- (3) The permittee shall comply with the following quarterly reporting requirements for the emissions unit and its continuous NO<sub>x</sub> monitoring system:

- a. Pursuant to the monitoring, record keeping, and reporting requirements for continuous monitoring systems contained in 40 CFR 60.7 and 60.13(h) and the requirements established in this permit, the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency, documenting all instances of NO<sub>x</sub> emissions in excess of any applicable limit specified in this permit, 40 CFR Part 60, OAC Chapters 3745-14, 3745-18, and 3745-23, and any other applicable rules or regulations. The report shall document the date, commencement and completion



times, duration, and magnitude of each exceedance, as well as the reason (if known) and the corrective actions taken (if any) for each exceedance. Excess emissions shall be reported in units of the applicable standard(s).

- b. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall include the following:
- i. the facility name and address;
  - ii. the manufacturer and model number of the continuous NO<sub>x</sub> and other associated monitors;
  - iii. a description of any change in the equipment that comprises the continuous emission monitoring system (CEMS), including any change to the hardware, changes to the software that may affect CEMS readings, and/or changes in the location of the CEMS sample probe;
  - iv. the excess emissions report (EER)\*, i.e., a summary of any exceedances during the calendar quarter, as specified above;
  - v. the total NO<sub>x</sub> emissions for the calendar quarter (tons);
  - vi. the total operating time (hours) of the emissions unit;
  - vii. the total operating time of the continuous NO<sub>x</sub> monitoring system while the emissions unit was in operation;
  - viii. results and dates of quarterly cylinder gas audits;
  - ix. unless previously submitted, results and dates of the relative accuracy test audit(s), including results in units of the applicable standard(s), (during appropriate quarter(s));
  - x. unless previously submitted, the results of any relative accuracy test audit showing the continuous NO<sub>x</sub> monitors out-of-control and the compliant results following any corrective actions;
  - xi. the date, time, and duration of any/each malfunction\*\* of the continuous NO<sub>x</sub> monitoring systems, emissions unit, and/or control equipment;
  - xii. the date, time, and duration of any downtime\*\* of the continuous NO<sub>x</sub> monitoring systems and/or control equipment while the emissions unit was in operation; and
  - xiii. the reason (if known) and the corrective actions taken (if any) for each event in e)(3)b.xi and e)(3)b.xii.

Each report shall address the operations conducted and data obtained during the previous calendar quarter. According to Paragraph 48 of the Consent Decree, the permittee is directed to use data substitution procedures from 40 CFR 75 for showing compliance with the rolling 30-day limitation(s) in this permit.



\* where no excess emissions have occurred or the continuous monitoring system(s) has/have not been inoperative, repaired, or adjusted during the calendar quarter, such information shall be documented in the EER quarterly report

\*\* each downtime and malfunction event shall be reported regardless of whether there is an exceedance of any applicable limit

- (4) The permittee shall comply with the following quarterly reporting requirements for the emissions unit and its continuous SO<sub>2</sub> monitoring system:
- a. Pursuant to the monitoring, record keeping, and reporting requirements for continuous monitoring systems contained in 40 CFR 60.7 and 60.13(h) and the requirements established in this permit, the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency, documenting all instances of SO<sub>2</sub> emissions in excess of any applicable limit specified in this permit, 40 CFR Part 60, OAC Chapters 3745-14, 3745-18, and 3745-23, and any other applicable rules or regulations. The report shall document the date, commencement and completion times, duration, and magnitude of each exceedance, as well as the reason (if known) and the corrective actions taken (if any) for each exceedance. Excess emissions shall be reported in units of the applicable standard(s).
  - b. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall include the following:
    - i. the facility name and address;
    - ii. the manufacturer and model number of the continuous SO<sub>2</sub> and other associated monitors;
    - iii. a description of any change in the equipment that comprises the continuous emission monitoring system (CEMS), including any change to the hardware, changes to the software that may affect CEMS readings, and/or changes in the location of the CEMS sample probe;
    - iv. the excess emissions report (EER)\*, i.e., a summary of any exceedances during the calendar quarter, as specified above;
    - v. the total SO<sub>2</sub> emissions for the calendar quarter (tons);
    - vi. the total operating time (hours) of the emissions unit;
    - vii. the total operating time of the continuous SO<sub>2</sub> monitoring system while the emissions unit was in operation;
    - viii. results and dates of quarterly cylinder gas audits;
    - ix. unless previously submitted, results and dates of the relative accuracy test audit(s), including results in units of the applicable standard(s), (during appropriate quarter(s));



- x. unless previously submitted, the results of any relative accuracy test audit showing the continuous SO<sub>2</sub> monitors out-of-control and the compliant results following any corrective actions;
- xi. the date, time, and duration of any/each malfunction\*\* of the continuous SO<sub>2</sub> monitoring systems, emissions unit, and/or control equipment;
- xii. the date, time, and duration of any downtime\*\* of the continuous SO<sub>2</sub> monitoring systems and/or control equipment while the emissions unit was in operation; and
- xiii. the reason (if known) and the corrective actions taken (if any) for each event in e)(3)b.xi and e)(3)b.xii.

Each report shall address the operations conducted and data obtained during the previous calendar quarter. According to Paragraph 81 of the Consent Decree, the permittee is directed to use data substitution procedures from 40 CFR 75 for showing compliance with the rolling 30-day limitation(s) in this permit.

\* where no excess emissions have occurred or the continuous monitoring system(s) has/have not been inoperative, repaired, or adjusted during the calendar quarter, such information shall be documented in the EER quarterly report

\*\* each downtime and malfunction event shall be reported regardless of whether there is an exceedance of any applicable limit

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitation:  
43.0 pounds of sulfur dioxide per ton of cement produced

Applicable Compliance Method:  
If required, the permittee shall demonstrate compliance with the emission limitation in accordance with 40 CFR Part 60, Appendix A, Methods 1-4 and 6.

b. Emission Limitation:  
75 lbs/hr of PE

Applicable Compliance Method:  
If required, the permittee shall demonstrate compliance with the emission limitation in accordance with 40 CFR Part 60, Appendix A, Methods 1 - 5.

c. Emission Limitation:  
P014: 6.01 lbs NOX per ton of clinker, as a 30-day rolling average.  
P015: 5.46 lbs NOX per ton of clinker, as a 30-day rolling average.



Applicable Compliance Method:

Compliance with the 30-day rolling average emission limit shall be determined in accordance with the following procedure, beginning on the 30th day after the issuance of this permit: first, sum the total pounds of NO<sub>x</sub> emitted from the kiln during an operating day (i.e. any day on which kiln operation has occurred) and the previous twenty-nine (29) operating days as measured by the applicable NO<sub>x</sub> CEMS, as applicable; second, sum the total tons of clinker produced by the kiln during the same operating day and previous 29 operating days; and third, divide the total number of pounds of NO<sub>x</sub> emitted from the kiln or kilns during the thirty (30) operating days by the total tons of clinker produced by such kiln during the same 30 operating days. A new compliance determination of the 30-day rolling average emission limit shall be calculated for each new operating day. In calculating each 30-day rolling average emission rate, the total pounds of NO<sub>x</sub> emitted from a kiln during a specified period (operating day or 30-day period) shall include all emissions of that pollutant from the subject kiln that occur during the specified period, including emissions during each start-up, shut-down, or malfunction, except to the extent a malfunction qualifies as a 'Force Majeure' event under Section XIV under the Consent Decree and the permittee has complied with the requirements of that section.

[Consent Decree, Paragraph 7.a]

d. Emission Limitation:

P014: 5.52 lbs SO<sub>2</sub> per ton of clinker, as a 30-day rolling average.

P015: 6.80 lbs SO<sub>2</sub> per ton of clinker, as a 30-day rolling average.

Applicable Compliance Method:

Compliance with the 30-day rolling average emission limit shall be determined in accordance with the following procedure, beginning on the 30th day after the issuance of this permit: first, sum the total pounds of SO<sub>2</sub> emitted from the kiln during an operating day (i.e. any day on which kiln operation has occurred) and the previous twenty-nine (29) operating days as measured by the applicable SO<sub>2</sub> CEMS, as applicable; second, sum the total tons of clinker produced by the kiln during the same operating day and previous 29 operating days; and third, divide the total number of pounds of SO<sub>2</sub> emitted from the kiln or kilns during the thirty (30) operating days by the total tons of clinker produced by such kiln during the same 30 operating days. A new compliance determination of the 30-day rolling average emission limit shall be calculated for each new operating day. In calculating each 30-day rolling average emission rate, the total pounds of SO<sub>2</sub> emitted from a kiln during a specified period (operating day or 30-day period) shall include all emissions of that pollutant from the subject kiln that occur during the specified period, including emissions during each start-up, shut-down, or malfunction, except to the extent a malfunction qualifies as a 'Force Majeure' event under Section XIV under the Consent Decree and the permittee has complied with the requirements of that section.

[Consent Decree, Paragraph 7.a]



- (2) The permittee shall comply with the applicable compliance requirements as required under 40 CFR 63 Subpart EEE, including the following sections:

63.1207	performance testing requirements
63.1208	test methods

- (3) Ongoing compliance with the NO<sub>x</sub> emission limitations contained in this permit, 40 CFR Part 60 and any other applicable standard(s) shall be demonstrated through the data collected as required in Sections d) and f)(3) of this permit; and through demonstration of compliance with the quality assurance/quality control plan, which shall meet the testing and recertification requirements of 40 CFR Part 60.
- (4) Ongoing compliance with the SO<sub>2</sub> emission limitations contained in this permit, 40 CFR Part 60 and any other applicable standard(s) shall be demonstrated through the data collected as required in Sections d) and f)(3) of this permit; and through demonstration of compliance with the quality assurance/quality control plan, which shall meet the testing and recertification requirements of 40 CFR Part 60.

g) Miscellaneous Requirements

- (1) None.