

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
)
Essroc Italcementi Group) NOTICE OF VIOLATION
Speed, Indiana)
) EPA-5-IN-02-08
)
)
Proceedings Pursuant to)
Section 113(a)(1) of the)
Clean Air Act, 42 U.S.C.)
§ 7413(a)(1))

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Essroc Italcementi Group (Essroc) is violating the Indiana State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On April 16, 1997, U.S. EPA approved 326 Indiana Administrative Code (IAC) 5-1-2.1(A) and (B) as part of the federally enforceable SIP for Indiana. 62 Fed. Reg. 18521.
2. 326 IAC 5-1-2.1(A) provides that visible emissions at a source or facility shall not exceed an average of forty percent opacity in 24 consecutive readings.
3. 326 IAC 5-1-2.1(B) provides that visible emissions shall not exceed sixty percent opacity for more than a cumulative total of fifteen minutes in a six hour period.

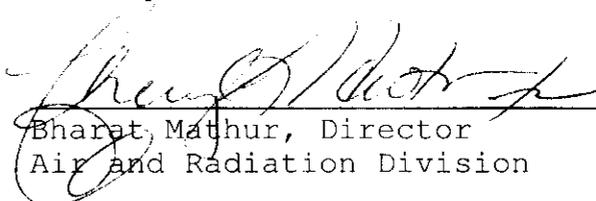
Essroc's Speed, Indiana, Facility

4. Essroc owns and operates a Portland cement plant at Highway 31, Speed, Indiana.
5. Emissions from Essroc's Kiln #2/raw mill are subject to the opacity regulations in the Indiana SIP at 326 IAC 5-1-2.

Violations

6. Between October 1, 2000, and September 30, 2001, opacity at the stack for Kiln #2/raw mill was greater than 40 percent for at least one six-minute-average, on at least 47 days. See Attachment A.
7. Between October 1, 2000, and September 30, 2001, opacity at the stack for Kiln #2/raw mill was greater than 60 percent for at least 15 minutes within a 6 hour period, on at least 10 days. See Attachment A.

2/12/02
Date


Bharat Mathur, Director
Air and Radiation Division

ESSROC COM DATA - SIP Violations

KILN/RAW MILL MODE AND RAW MILL ONLY MODE - Days of Excursions of 40% Limit

DATE	Minutes	Opacity 6' average	DATE	Minutes	Opacity 6' average
10/02/00	12	55	04/03/01	30	74
10/10/00	6	55		18	58
	6	54	04/06/01	6	50
10/20/00	54	52	04/17/01	30	69
11/02/00	12	41		36	47
11/07/00	6	43	04/18/01	30	47
11/09/00	36	59		6	46
	12	43		6	66
11/17/00	6	44		12	74
	6	43	04/21/01	6	74
11/20/00	6	41	04/26/01	54	47
11/26/00	18	43		30	41
11/27/00	12	66		30	58
11/30/00	12	43		42	73
12/03/00	6	46	04/27/01	24	49
12/25/00	108	93		36	65
	30	66	05/25/01	42	44
12/26/00	18	71	06/12/01	6	56
12/27/00	6	42	06/18/01	12	49
12/29/00	18	55	06/19/01	12	52
01/18/01	6	56	06/23/01	12	92
02/12/01	6	50	06/27/02	6	62
02/15/01	6	43	07/19/01	18	54
02/16/01	18	80	07/21/01	12	58
02/19/01	24	46	08/08/01	6	43
02/24/01	18	49	08/09/01	12	60
	12	58	08/31/01	24	62
	30	80	09/07/01	12	49
	18	67	09/09/01	12	66
02/25/01	36	44	09/10/01	6	77
03/16/01	12	58	09/18/01	24	52
03/26/01	6	44			

Total Days of Violation 47

KILN/RAW MILL MODE AND RAW MILL ONLY MODE - Days of Excursions of 60% Limit

DATE	Minutes	Opacity 6' average	DATE	Minutes	Opacity 6' average
12/25/00	108	93	04/17/01	30	69
	30	66	04/18/01	6	66
12/26/00	18	71		12	74
02/16/01	18	80	04/26/01	42	73
02/24/01	30	80	04/27/01	36	65
	18	67	08/31/01	24	62
04/03/01	30	74			

Total Days of Violation 10