



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**DEC 18 2012**

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

John Maitland  
E. US EHS Manager  
Graymont  
194 Match Factory Place  
Bellefonte, PA 16823

Re: Notice of Violation  
Graymont  
Superior, Wisconsin

Dear Mr. Maitland:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Graymont (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you have violated provisions of your Title V Permit at your Superior, Wisconsin facility.

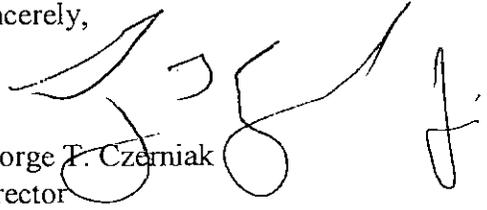
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Natalie Topinka. You may contact her at (312) 886-3853 or topinka.natalie@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak  
Director  
Air and Radiation Division

Enclosure

cc: Neal Bauduin, WDNR  
Francis X. Lyons, Bryan Cave  
Thor W. Ketzback, Bryan Cave



### Graymont's Facility

6. Graymont owns and operates a lime manufacturing facility at Hill Avenue and Winter Street, Superior, Wisconsin.
7. On February 15, 2008, Wisconsin Department of Natural Resources issued to Graymont Title V Operation Permit No. 816036430-P02 (Permit) for the Superior facility.
8. Permit condition Part I D.3.a.(1) limits nitrogen oxide (NOx) emissions from Graymont's Kiln No. 4 to 1.55 pounds of NOx emissions per ton of limestone feed (lb/tsf) and 56 pounds of NOx emissions per hour (lb/hr).
9. On June 17, 2011, EPA issued a Request for Information, requesting Graymont install a continuous emissions monitoring system (CEMS) to monitor NOx on its Kiln No. 4. In response, Graymont installed a NOx CEMS on Kiln No. 4 and collected the equivalent of 92 days of NOx emissions data, from March 13 to August 10, 2012.
10. Graymont submitted records of the CEMS data recorded to EPA on October 1, 2012.

### Violations

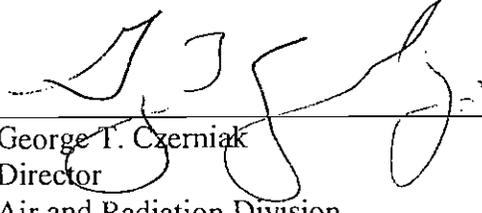
11. From March 13, 2012, to August 10, 2012, Graymont exceeded Kiln No. 4's permitted NOx limit of 1.55 lbs/tsf at least 82 times, as measured on a 3-hour rolling average basis.
12. From March 13, 2012, to August 10, 2012, Graymont exceeded Kiln No. 4's permitted NOx limit of 56 lbs/hr at least seven times, as measured on an hourly basis.
13. Graymont's violations of the NOx limits in its permit constitute violations of the CAA as well its Permit and the Wisconsin SIP.

**Environmental Impact of Violations**

14. These violations have caused or can cause excess emissions of NOx. Current scientific evidence links short-term NOx exposures, ranging from 30 minutes to 24 hours, with adverse respiratory effects including airway inflammation in healthy people and increased respiratory symptoms in people with asthma. In addition, studies show a connection between breathing elevated short-term NOx concentrations, and increased hospital admissions for respiratory issues, especially asthma.

Date

12/18/12



George T. Czerniak  
Director  
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-13-

WI-01, by Certified Mail, Return Receipt Requested, to:

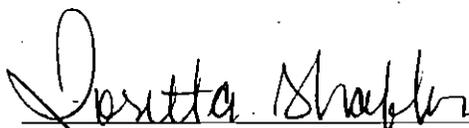
John Maitland  
E. US EHS Manager  
Graymont  
194 Match Factory Place  
Bellefonte, PA 16823

I also certify that I sent copies of the Notice of Violation by first-class mail to:

Neal E. Baudhuin  
Northern Region Air Management Supervisor  
Wisconsin Department of Natural Resources  
107 Sutliff Avenue, Rhinelander, WI 54501

Francis X. Lyons  
Thor W. Ketzback  
Bryan Cave LLP  
161 N. Clark Street, Suite 4300  
Chicago, IL 60601-3315

On the 20 day of December 2012.

  
\_\_\_\_\_  
Administrative Program Assistant  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7674 0425