



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

DEC 23 2014

REPLY TO THE ATTENTION OF:

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

Jeff Scott, Plant Manager  
Lafarge North America Inc.  
11435 County Road 176  
Paulding, Ohio 45879-8834

Re: Finding of Violation  
Lafarge North America Inc.  
Paulding, Ohio

Dear Mr. Scott:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Lafarge North America Inc. (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you have violated the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (HWC MACT) at your Paulding, Ohio, 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.

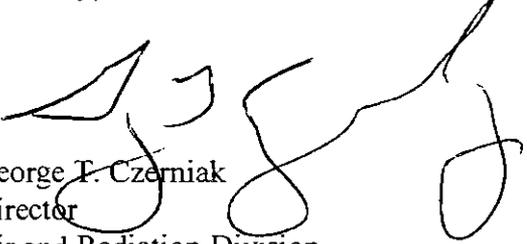
We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

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 Charles Hall. You may contact him by telephone at (312) 353-3443 or by e-mail at [hall.charles@epa.gov](mailto:hall.charles@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: Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency

Mark Budge, Air Pollution Control Supervisor  
Northwest District Office  
Ohio Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

|  |   |                             |
|--|---|-----------------------------|
| <b>IN THE MATTER OF:</b>                   | ) | <b>FINDING OF VIOLATION</b> |
|  | ) |                             |
| Lafarge North America Inc.                 | ) | EPA-5-15-OH-05              |
| Paulding, Ohio                             | ) |                             |
|  | ) |                             |
| Proceedings Pursuant to the Clean Air Act, | ) |                             |
| <u>42 U.S.C. §§ 7401 <i>et seq.</i></u>    | ) |                             |

**FINDING OF VIOLATION**

The U.S. Environmental Protection Agency finds that Lafarge North America Inc. (Lafarge) is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Lafarge is violating the National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors (HWC MACT) at 40 C.F.R. Part 63, Subpart EEE as follows:

**Regulatory Authority**

1. Pursuant to Section 112 of the Clean Air Act, on September 30, 1999, EPA promulgated the HWC MACT. EPA amended the HWC MACT on November 19, 1999, July 10, 2000, November 9, 2000, May 14, 2001, July 3, 2001, December 6, 2001, February 13, 2002, February 14, 2002, December 19, 2002, June 23, 2003, April 9, 2004, October 12, 2005, April 20, 2006, October 25, 2006, April 8, 2008, and October 28, 2008.
2. The HWC MACT applies to each hazardous waste burning cement kiln. 40 C.F.R. § 63.1200.
3. Pursuant to 40 C.F.R. § 63.1206(a)(1)(ii)(A), the owner or operator of an existing hazardous waste burning cement kiln was required to comply with the emission standards under 40 C.F.R. § 63.1220 and the other requirements of the HWC MACT no later than the compliance date, October 14, 2008.
4. Pursuant to 40 C.F.R. § 63.1220(a)(3)(ii), the owner or operator of an existing hazardous waste burning cement kiln must not discharge or cause combustion gases to be emitted into the atmosphere that contain combined emissions of cadmium and lead in excess of 330 micrograms per dry standard cubic meter ( $\mu\text{g}/\text{dscm}$ ) corrected to 7 percent oxygen (7% O<sub>2</sub>).
5. Pursuant to 40 C.F.R. § 63.1220(a)(4)(i), the owner or operator of an existing hazardous waste burning cement kiln must not discharge or cause combustion gases to be emitted into the atmosphere that contain combined emissions of arsenic, beryllium, and chromium attributable to the hazardous waste in excess of  $2.1 \times 10^{-5}$  pounds per million British thermal units heat input from the hazardous waste (lbs LVM/mmBTU).

6. Pursuant to 40 C.F.R. § 63.1220(a)(7)(i), the owner or operator of an existing hazardous waste burning cement kiln must not discharge or cause combustion gases to be emitted into the atmosphere that contain particulate matter (PM) in excess of 0.028 grains per dry standard cubic foot (gr/dscf) corrected to 7% O<sub>2</sub>.

7. Pursuant to 40 C.F.R. § 63.1207(b)(1) and (d)(1), the owner or operator of a hazardous waste burning cement kiln must conduct a quinquennial comprehensive performance test (CPT) to demonstrate compliance with the emission standards and to establish operating parameter limits.

### **Factual Background**

8. Lafarge owns and operates two hazardous waste burning cement kilns located at 11435 County Road 176, Paulding, Ohio. Lafarge identifies them as Kiln #1 and Kiln #2.

9. On August 6 through 8, 2014, Lafarge conducted its 2014 CPT on Kiln #1 and Kiln #2.

10. During the CPT, the three-run average emission concentration of cadmium and lead, combined emissions, from Kiln #1 was 569 µg/dscm corrected to 7% O<sub>2</sub>.

11. During the CPT, the three-run average thermal emission concentration of arsenic, beryllium, and chromium was  $4.0 \times 10^{-5}$  lbs LVM/mmBTU.

12. During the CPT, the three run average emission concentration of PM from Kiln #1 was 0.107 gr/dscf corrected to 7% O<sub>2</sub>.

13. On August 22, 2014, Lafarge conducted routine maintenance inspections and replaced one leaking bag in Kiln #1's baghouse.

14. Between September 15 and 18, Lafarge shut down Kiln #1 and replaced nine leaking bags in its baghouse. Lafarge also sealed off the inlets for an additional twelve leaking bags for future repair.

15. On October 8, 2014, Lafarge re-tested the combined emissions of cadmium and lead, the combined emissions of arsenic, beryllium, and chromium, and the PM emissions from Kiln #1.

16. During the re-test, the three run average emission concentration of cadmium and lead, combined emissions, from Kiln #1 was 10.8 µg/dscm corrected to 7% O<sub>2</sub>; the average thermal concentration of arsenic, beryllium, and chromium, combined emissions, from Kiln #1 was  $2.6 \times 10^{-6}$  lbs LVM/mmBTU; and the average emission concentration of PM from Kiln #1 was 0.0023 gr/dscf corrected to 7% O<sub>2</sub>.

**Findings of Violations**

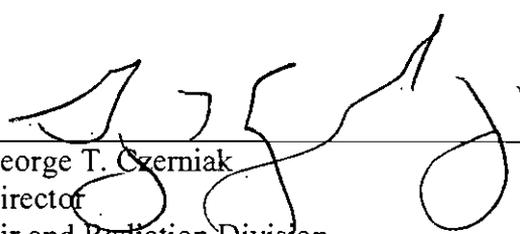
17. Lafarge violated 40 C.F.R. § 63.1220(a)(3)(ii) on each day of operation between August 6 and September 15, 2014, by discharging from Kiln #1 combustion gases into the atmosphere that contained cadmium and lead, combined emissions, in excess of 330 µg/dscm corrected to 7% O<sub>2</sub>

18. Lafarge violated 40 C.F.R. § 63.1220(a)(4)(i) on each day of operation between August 6 and September 15, 2014, by discharging from Kiln #1 combustion gases into the atmosphere that contained combined emissions of arsenic, beryllium, and chromium attributable to the hazardous waste in excess of  $2.1 \times 10^{-5}$  lbs LVM/mmBTU.

19. Lafarge violated 40 C.F.R. § 63.1220(a)(7)(i) on each day of operation between August 6 and September 15, 2014, by discharging from Kiln #1 combustion gases into the atmosphere that contained PM in excess of 0.028 gr/dscf corrected to 7% O<sub>2</sub> from Kiln #1.

Date

12/23/14

  
George T. Czerniak  
Director  
Air and Radiation Division

## CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-15-OH-05, by Certified Mail, Return Receipt Requested, to:

Jeff Scott, Plant Manager  
Lafarge North America Inc.  
11435 County Road 176  
Paulding, Ohio 45879-8834

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

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
50 West Town Street, Suite 700  
Columbus, Ohio 43215

Mark Budge, Air Pollution Control Supervisor  
Northwest District Office  
Ohio Environmental Protection Agency  
347 N Dunbridge Rd  
Bowling Green, OH 43402

on the 29 day of December 2014

  
\_\_\_\_\_  
Administrative Program Assistant

Certified Mail Receipt Number: 70091680 0000 7670 0962