



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

SEP 2 2010

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christopher Kitts
General Manager
Huron Lime, Inc.
P.O. Box 451
Huron, Ohio 44839

RE: Finding of Violation
Huron Lime, Huron, Ohio

Dear Mr. Kitts:

The U.S. Environmental Protection Agency (EPA) is issuing the enclosed Finding of Violation ("FOV") to Huron Lime, Inc. (Huron Lime or you) under Section 113(a)(1) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(1). We find that you are in violation of the Clean Air Act and the National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants (Lime MACT) at your Huron, Ohio facility.

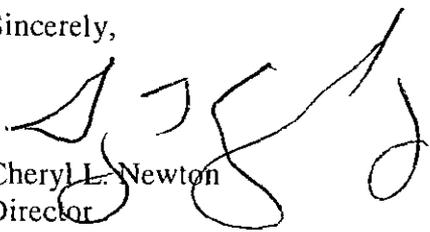
We have several enforcement options under Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the 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 Molly DeSalle. You may call her at (312) 353-8773 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,


Cheryl L. Newton
Director
Air and Radiation Division

ALTING

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
Huron Lime, Inc.)	FINDING OF VIOLATION
Huron, Ohio)	EPA-5-10-OH-25
)	
)	
Proceedings Pursuant to Section 113(a)(1))	
of the Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	
)	

FINDING OF VIOLATION

Huron Lime, Inc. (Huron Lime or you) owns and operates a lime manufacturing facility in Huron, Ohio. The U.S. Environmental Protection Agency (EPA) finds that Huron Lime has violated and is violating Section 502(a) of the Clean Air Act (the Act) and the National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants (Lime MACT). Specifically, Huron Lime is violating these regulations, as follows:

Statutory and Regulatory Authority

- 1) Pursuant to 40 C.F.R. § 63.7081(a)(2) a major source of hazardous air pollutants (HAPs) is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons or more per year. 69 Fed. Reg. 416 (January 5, 2004).
- 2) Sources of HAPs which are not major sources are known as area sources. 40 C.F.R. § 63.2.
- 3) Pursuant to 40 C.F.R. § 63.7082(e) an existing affected source is any lime kiln and its associated lime coolers for which construction or reconstruction began before December 20, 2002.
- 4) Each existing affected source must comply with the applicable emission limitations and complete all applicable performance tests no later than January 5, 2007. 40 C.F.R. § 63.7083(b)
- 5) Each existing affected source must complete all applicable performance tests as specified by §§ 63.7(a) and 63.7114. 40 C.F.R. § 63.7110 (a)
- 6) All sources wishing to claim area source status must measure hydrogen chloride (HCl) from all lime kilns at the plant using EPA Method 320, EPA Method 321, or ASTM Method D6735-01. Section 40 C.F.R. § 63.7142(a)

- 7) 40 C.F.R. § 63.7142(a)(3)(i) specifies that the test include three or more runs in which a pair of samples is obtained simultaneously for each run, as per section 11.2.6 of ASTM Method D6735-01.

Findings of Fact

- 8) Huron Lime owns and operates a lime manufacturing facility located at 100 Meeker Street, Huron, Ohio (the facility).
- 9) Huron Lime began operating at the facility in 1966.
- 10) The facility consists of three rotary kilns that vent to two stacks. Kiln #1 and Kiln #2 vent to Stack #1, and Kiln #3 vents to Stack #2.
- 11) The kilns are an "emission unit," as that term is defined at Section 40 C.F.R. § 63.7143. "Lime kiln" means the device, including associate preheater, used to produce a lime product from stone feed by calcination. Kiln types include, but are not limited to, rotary kiln, vertical kiln, rotary hearth kiln, double-shaft vertical kiln, and fluidized bed kiln.
- 12) The kilns release air emissions containing HCl. HCl is released from the combustion of coal in the kilns.
- 13) Huron Lime conducted HCl testing on all three kilns, using ASTM Method D6735-01 on June 21-22, 2005 (2005 tests), in accordance with 40 C.F.R. § 63.7142(a)(3)(i).
- 14) The 2005 tests indicated that Huron's HCl emissions were 25.07 tons per year (tpy)
- 15) Huron Lime installed two quench systems in 2006 on Kiln #1 and Kiln #2.
- 16) On October 4-5, 2006, Huron Lime conducted HCl testing on Kiln #2 and Kiln #3 (October 2006 tests).
- 17) On December 8, 2006, Huron Lime conducted HCl testing on Kiln #1 (December 2006 tests).
- 18) During both the October 2006 and December 2006 tests, Huron Lime used ASTM Method D6735-01, but failed to obtain a pair of samples simultaneously for each run, as is specified by 40 C.F.R. § 63.7142(a)(3)(i).
- 19) Since the 2005 test, Huron Lime has not correctly tested per ASTM Method D6735-01, nor has it tested using one of the other reference methods specified by § 63.7142.

Violations

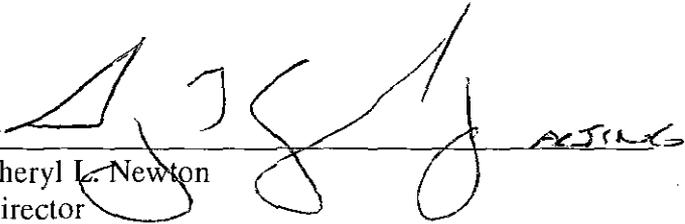
- 20) Huron Lime has never demonstrated that it is an area source for purposes of the Lime MACT, in violation of § 63.7142.
- 21) Huron Lime is subject to the Lime MACT, but is not in compliance with the regulations contained therein insofar as it neither established itself as an area source nor complied with the requirements for major sources. 40 C.F.R. §§ 63.7080 – 7143.
- 22) Such failures constitute violations of the Act.

Environmental Impact of Violations

- 23) Hydrochloric acid is corrosive to the eyes, skin, and mucous membranes. Acute (short-term) inhalation exposure may cause eye, nose, and respiratory tract irritation and inflammation and pulmonary edema in humans. Chronic (long-term) occupational exposure to hydrochloric acid has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization in workers. Prolonged exposure to low concentrations may also cause dental discoloration and erosion.

Date

9/2/10


Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

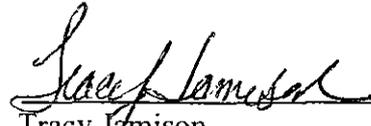
I, Tracy Jamison, certify that I sent a Finding of Violation, No. EPA-5-10-OH-25,
by Certified Mail, Return Receipt Requested, to:

Christopher Kitts
General Manager
Huron Lime, Inc.
P.O. Box 451
Huron, Ohio 44839

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

Mohammad Smidi
Northwest District Office
Ohio Environmental Protection Agency
347 North Dunbridge Road
Bowling Green, Ohio 43402

on the 2 day of September, 2010.


Tracy Jamison,
Office Automation Assistant
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0293 1039