



Mitchell E. Daniels, Jr.  
Governor

Thomas W. Easterly  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
(800) 451-6027  
[www.IN.gov/idem](http://www.IN.gov/idem)

TO: Interested Parties / Applicant  
DATE: April 26, 2005  
RE: Lehigh Cement Company / 093-21136 -00002  
FROM: Paul Dubenetzky  
Chief, Permits Branch  
Office of Air Quality

### Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of Lehigh's original application which was received by IDEM on March 10, 2005.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We make Indiana a cleaner, healthier place to live.*

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April 26, 2005

Mr. Edward Epping  
Lehigh Cement Company  
121 North First Street  
P.O. Box 97  
Mitchell, Indiana 47446

Re: Second Administrative Amendment No: 093-21136-00002 of Part 70 Permit T093-5990-00002

Dear Mr. Epping:

Lehigh Cement Company, 121 North First Street, Mitchell, Indiana 47446, submitted an application to install a second continuous opacity monitor (COM) and switch the location of the existing COM used to monitor opacity from Kiln #1 and Kiln #2.

Pursuant to the provisions of 326 IAC 2-7-11, First Administrative Amendment No. 093-20912-00002 for this activity was approved by the Indiana Department of Environmental Management on April 8, 2005 and mailed to Lehigh on April 8, 2005. This amendment incorrectly stated that the COMs must be installed and operational prior to opacity stack testing. Lehigh performed the opacity stack testing required by 40 CFR 63.1349 and Condition D.4.7 in 2002, prior to its application to install an additional COM. This Second Administrative Amendment supersedes First Administrative Amendment 093-20912-00002 and changes Condition D.4.11 to accurately reflect Lehigh's current obligation under its Part 70 operating permit.

The revisions to Condition D.4.11 are as follows (bolded language has been added, the language with a line through it has been deleted):

D.4.11 Continuous Emissions Monitoring [326 IAC 3-5] [326 IAC 2-7-6(1),(6)] [40 CFR 63, Subpart LLL]

Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), 326 IAC 2-1.1-11 and 40 CFR Part 63, a continuous monitoring system shall be installed, calibrated, maintained, and operated for measuring the opacity:

- ~~(a) Kiln #1 in the Kiln #1 breeching duct leading to Stack S-KP1;~~
- ~~(b) Kiln #2 in the Kiln #2 breeching duct leading to Stack S-KP1; and~~
- ~~(c) Kiln #3 in the Stack S-KP2;~~

**from each of the kilns (EU15, EU16, and EU17)** pursuant to 326 IAC 3-5-2 and 40 CFR 63.8(c).

~~The continuous opacity monitors shall be installed and operational prior to conducting the performance tests required in Condition D.4.7.~~ The continuous opacity monitors shall meet the performance specifications of 326 IAC 3-5-2 and 40 CFR 63.8(c). 326 IAC 3-5 is not federally enforceable.

Other than the changes detailed in this approval, all other conditions of Lehigh Part 70 permit shall remain unchanged and unaffected. Please find enclosed a copy of modified Condition D.4.11.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Ms. Betsy Zlatos at the Indiana Department Environmental Management, Office of Air Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204 or by telephone at (317) 233-5645 or toll free at 1-800-451-6027 extension 3-5645.

Sincerely,

Original signed by  
Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Quality

Attachments - Modified D.4.11  
cc: File - Lawrence County  
U.S. EPA, Region V  
Lawrence County Health Department  
Air Compliance Section Inspector - RCS  
Compliance Branch  
Technical Support and Modeling

D.4.11 Continuous Emissions Monitoring [326 IAC 3-5] [326 IAC 2-7-6(1),(6)] [40 CFR 63, Subpart LLL]

Pursuant to 326 IAC 3-5 (Continuous Monitoring of Emissions), 326 IAC 2-1.1-11 and 40 CFR Part 63, a continuous monitoring system shall be installed, calibrated, maintained, and operated for measuring the opacity from each of the kilns (EU15, EU16 and EU17) pursuant to 326 IAC 3-5-2 and 40 CFR 63.8(c). The continuous opacity monitors shall meet the performance specifications of 326 IAC 3-5-2 and 40 CFR 63.8(c). 326 IAC 3-5 is not federally enforceable.