

#### **401 KAR 51:170. NOx requirements for cement kilns.**

RELATES TO: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. 51.121 as amended at 65 FR 11222 (March 2, 2000), 51.122, 72.2, 75.1, 75.2, 75.4, 75.11-75.13, 75.17, 75.19, 75.20, 75.24, 75.70, 75.72, 75.74, 75.75, Part 96, 42 U.S.C. 7410

STATUTORY AUTHORITY: KRS 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. 51.121 as amended at 65 FR 11222 (March 2, 2000), 51.122, 72.2, 75.1, 75.2, 75.4, 75.11-75.13, 75.17, 75.19, 75.20, 75.24, 75.70, 75.72, 75.74, 75.75, Part 96, 42 U.S.C. 7410

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 requires the Environmental and Public Protection Cabinet to promulgate administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation provides for the regional control of nitrogen oxides (NOx) emissions from portland cement manufacturing plants pursuant to the federal mandate published under the NOx SIP Call. This administrative regulation is not more stringent nor otherwise different than the provisions allowed under the federal mandate.

Section 1. Applicability. This administrative regulation shall apply to a portland cement manufacturing plant with process rates, on or after January 1, 1995, equal to or greater than:

- (1) Twelve (12) tons of clinker per hour for a long dry kiln;
- (2) Ten (10) tons of clinker per hour for a long wet kiln;
- (3) Sixteen (16) tons of clinker per hour for a preheater kiln; or
- (4) Twenty-two (22) tons of clinker per hour for a precalciner or preheater/precalciner kiln.

Section 2. Standard for Kilns.

- (1) On and after May 31, 2004, the owner or operator of a kiln specified in Section 1 of this administrative regulation shall, during a control period, operate the kiln so that NOx emissions do not exceed six and six-tenths (6.6) lbs per ton of clinker averaged over a thirty (30) day rolling period.
- (2) The requirements in subsection (1) of this section shall not apply during:
  - (a) Periods of start-up, shutdown, or malfunction that do not exceed thirty-six (36) consecutive hours; and
  - (b) Regularly scheduled maintenance activities.

Section 3. Reporting, Monitoring, and Recordkeeping for Kilns.

- (1) Reporting requirements. The owner or operator of a kiln specified in Section 1 of this administrative regulation shall submit the following reports to the cabinet at the locations specified in Section 4 of this administrative regulation:
  - (a) By May 31, 2004, a report that includes:
    1. The number and types of kilns;
    2. The name and address of the plant where the kilns are located; and
    3. The name and telephone number of the person responsible for demonstrating that the kiln is in compliance.
  - (b) By October 31 each year, beginning in 2004, a report that documents the total NOx emissions from the kiln during the control period.
- (2) Monitoring requirements. Beginning April 1, 2004, the owner or operator of a kiln specified in Section 1 of this administrative regulation shall monitor NOx emissions during each control period in accordance with provisions in 40 CFR 96.70 to 96.76.
- (3) Recordkeeping requirements. An owner or operator of a kiln specified in Section 1 of this administrative regulation shall maintain all records necessary to demonstrate compliance with the standards in Section 2 of this administrative regulation for a period of two (2) years. These records shall:

- (a) Be kept at the facility where the kiln is located;
- (b) Be made available to the cabinet or the U.S. EPA upon request; and
- (c) Contain the following information:
  - 1. Emissions, in pounds of NO<sub>x</sub> per ton of clinker, from the kiln;
  - 2. The results of all performance tests;
  - 3. Daily production records; and
  - 4. The date, time, and duration of all startups, shutdowns, or malfunctions in the operation of the kiln or emissions monitoring equipment.

Section 4. Reporting to the Cabinet. Reports required to be submitted to the cabinet shall be mailed to:

(1) Manager, Permit Review Branch, Kentucky Division for Air Quality, 300 Sower Boulevard, Frankfort Kentucky 40601; and

(2) To the appropriate Regional Office of the Division for Air Quality as follows:

(a) Ashland Regional Office, 1550 Wolohan Drive, Suite 1, Ashland, Kentucky 41102, (606) 929-5285;

(b) Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, Kentucky 42101, (270) 746-7475;

(c) Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, Kentucky 41042, (859) 525-4923;

(d) Frankfort Regional Office, 300 Sower Boulevard, Frankfort Kentucky 40601, (502) 564-3358;

(e) Hazard Regional Office, 233 Birch Street, Suite 2, Hazard, Kentucky 41701, (606) 435-6022;

(f) London Regional Office, 875 S. Main Street, London, Kentucky 40741, (606) 330-2080;

(g) Owensboro Regional Office, 3032 Alvey Park Drive, W., Suite 700, Owensboro, Kentucky 42303, (270) 687-7304; and

(h) Paducah Regional Office, 130 Eagle Nest Drive, Paducah, Kentucky 42003, (270) 898-8468.

(401 KAR 051:170. 27 Ky.R. 2609; 3281; eff. 8-15-2001; TAm eff. 8-9-2007; TAm eff. 5-20-2010; TAm eff. 9-16-2013; TAm eff. 4-2-2014; TAm eff. 7-8-2016; Crt eff. 7-30-2018; Crt eff. 6-27-2025.)