

DRAFT

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

HAZARDOUS WASTE MANAGEMENT FACILITY PERMIT

Facility Name and Location: **Lone Star Industries, Inc.**
Greencastle Waste-Derived Fuel Facility
3301 South County Road 150 West
Greencastle, Indiana 46135-0486

Owner: **Lone Star Industries, Inc.**
100 Brodhead Road Suite 230
Bethlehem, Pennsylvania 18017-8989

Operator: **Lone Star Industries, Inc.**
Greencastle Waste-Derived Fuel Facility
3301 South County Road 150 West
Greencastle, Indiana 46135-0486

U.S. EPA Identification Number: **IND 006 419 212**

Effective Date: **30 Days from Issuance Date of the Final Permit**

Expiration Date: **January 17, 2012**

The United States Environmental Protection Agency (U.S. EPA) hereby issues a Resource Conservation and Recovery Act permit (hereinafter referred to as the “permit”) to Lone Star Industries, Inc., Greencastle Waste-Derived Fuel Facility (hereinafter referred to as the “Permittee” or addressed in the second person as “you”) in connection with the hazardous waste treatment operations at the Lone Star Industries, Inc., Greencastle Waste-Derived Fuel Facility located in Greencastle, Indiana.

This permit is issued under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 USC § 6901 *et seq.*) (collectively referred to as “RCRA”) and U.S. EPA’s regulations promulgated thereunder (codified, and to be codified, in Title 40 of the Code of Federal Regulations (40 CFR)).

Specifically, this permit addresses requirements for a cement kiln burning hazardous waste. (40 CFR Part 266 Subpart H – Hazardous Waste Burned in Boilers and Industrial Furnaces)

The RCRA permit consists of both this permit, which contains the effective Federal RCRA permit conditions, and the effective State RCRA permit conditions issued by the State of Indiana's RCRA program authorized under 40 CFR Part 271 (hereinafter called the "State RCRA permit"). The State RCRA permit was issued on December 29, 2006. (The expiration date of the State RCRA permit is January 17, 2012.) Any hazardous waste activity which requires a RCRA permit and is not included in the RCRA permit is prohibited.

Permit Approval:

On January 31, 1986, the State of Indiana received final authorization pursuant to Section 3006 of RCRA, 42 USC § 6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. The State of Indiana has also received final authorization to administer certain additional RCRA requirements on several occasions since then. However, because the U.S. EPA has not yet authorized the State of Indiana to administer certain regulations, including the Boilers and Industrial Furnaces regulations (see 40 CFR § 266.100 *et seq.*, also known as the BIF regulations), the U.S. EPA Region 5 is issuing the RCRA permit requirements for operations at your facility which fall under these regulations.

You must comply with all terms and conditions contained in this permit. This permit consists of all the conditions contained herein, the documents attached hereto, all documents cross-referenced in these documents, approved submittals (including plans, schedules and other documents), the applicable regulations in 40 CFR Parts 124, 260, 261, 262, 264, 266, 268, 270, and applicable provisions of RCRA.

This permit is based on the assumption that the information submitted (1) in your RCRA Part B Permit Application dated September 2005 (hereinafter referred to as the "Part B Permit Application"), (2) in the risk burn plan dated December 2000, and subsequent responses and modifications, (3) in the risk burn reports dated March 2001, and subsequent responses and modifications, and (4) in the risk assessment report dated April 2002, and subsequent responses and modifications, is accurate, and the facility is configured, operated and maintained as specified in the permit and as described in the Part B Permit Application and other relevant documents.

Any inaccuracies in the submitted information may be grounds for the U.S. EPA to terminate, revoke and reissue, or modify this permit in accordance with 40 CFR §§ 270.41, 270.42 and 270.43; and for enforcement action. You must inform the U.S. EPA of any deviation from, or changes in, the information in the Part B Permit Application and other pertinent documents that might affect your ability to comply with the applicable regulations or conditions of this permit.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after the U.S. EPA serves notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may file a petition for review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR § 124.19.

Effective Date:

This permit is effective as of **30 Days from Issuance Date of the Final Permit** and will remain in effect until **January 17, 2012**, unless revoked and reissued under 40 CFR § 270.41, terminated under 40 CFR § 270.43, or continued in accordance with 40 CFR § 270.51(a).

Margaret M. Guerriero, Director
Waste, Pesticides and Toxics Division

Date: _____

IND 006 419 212
Lone Star Industries, Inc., Greencastle, Indiana

SECTION I—STANDARD PERMIT CONDITIONS	1
I.A EFFECT OF PERMIT	1
I.B PERMIT ACTIONS	1
I.B.1 Permit Review, Modification, Revocation and Reissuance, and Termination	1
I.B.2 Permit Renewal	2
I.C SEVERABILITY	2
I.D DEFINITIONS	2
I.E DUTIES AND REQUIREMENTS	2
I.E.1 Duty to Comply	2
I.E.2 Duty to Reapply	2
I.E.3 Permit Expiration	3
I.E.4 Need to Halt or Reduce Activity Not a Defense	3
I.E.5 Duty to Mitigate	3
I.E.6 Proper Operation and Maintenance	3
I.E.7 Duty to Provide Information	3
I.E.8 Inspection and Entry	4
I.E.9 Monitoring and Records	4
I.E.10 Reporting Planned Changes	5
I.E.11 Reporting Anticipated Noncompliance	5
I.E.12 Certification of Construction	5
I.E.13 Transfer of Permits	6
I.E.14 Twenty-Four Hour Reporting	6
I.E.15 Other Noncompliance	8
I.E.16 Other Information	8
I.F SIGNATORY REQUIREMENT	8
I.G REPORTS, NOTIFICATIONS AND SUBMITTALS TO THE DIRECTOR	8
I.H CONFIDENTIAL INFORMATION	9
I.I DOCUMENTS TO BE MAINTAINED AT THE FACILITY	9
I.I.1 Operating Record	9
I.I.2 Notifications	9
I.I.3 Copy of Permit	9
I.J ATTACHMENTS AND DOCUMENTS INCORPORATED BY REFERENCE	9
I.K COORDINATION WITH THE CLEAN AIR ACT	10

Draft March 2007

Lone Star Industries, Inc.

IND 006 419 212

SECTION II—GENERAL FACILITY CONDITIONS

.10

II.A DESIGN AND OPERATION OF FACILITY10

II.B TREATMENT OF OFF-SITE HAZARDOUS WASTE11

II.C SPECIFIC WASTE PROHIBITIONS11

II.D GENERAL WASTE ANALYSIS11

II.E SECURITY PROCEDURES11

II.F GENERAL INSPECTION REQUIREMENTS11

 II.F.1 Inspection Schedule11

 II.F.2 Inspection Remedies11

 II.F.3 Inspection Records11

II.G PERSONNEL TRAINING12

 II.G.1 Training Requirements12

 II.G.2 Training Schedule12

 II.G.3 Training Records12

II.H GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR
INCOMPATIBLE WASTES12

II.I PREPAREDNESS AND PREVENTION12

 II.I.1 Required Equipment12

 II.I.2 Testing and Maintenance Equipment13

 II.I.3 Arrangements with Local Authorities13

II.J CONTINGENCY PLAN13

 II.J.1 Implementation of Contingency Plan13

 II.J.2 Copies of Contingency Plan13

 II.J.3 Amendments to Contingency Plan13

II.K RECORD KEEPING AND REPORTING13

 II.K.1 Operating Record14

 II.K.2 Manifest Records14

 II.K.3 Biennial Report14

 II.K.4 Other Reports14

 II.K.5 Waste Minimization14

II.L GENERAL CLOSURE REQUIREMENTS15

 II.L.1 Performance Standard15

 II.L.2 Amendment to Closure Plan16

 II.L.3 Notification of Closure16

 II.L.4 Time Allowed for Closure16

 II.L.5 Disposal or Decontamination of Equipment, Structures and Soils16

 II.L.6 Certification of Closure16

II.M COST ESTIMATE FOR FACILITY CLOSURE17

 II.M.1 Adjustment for Inflation17

 II.M.2 Revision Due to Changes in Closure Plan17

Draft March 2007

Lone Star Industries, Inc.

IND 006 419 212

II.M.3	Copy at Facility	17
II.N	FINANCIAL ASSURANCE FOR FACILITY CLOSURE	17
II.O	LIABILITY REQUIREMENTS	17
II.P	INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS OR FINANCIAL INSTITUTIONS	17
SECTION III—OPERATING REQUIREMENTS FOR CEMENT KILN UNIT		18
III.A	DESIGN	18
III.A.1	Compliance with Engineering Design Plans and Specifications	18
III.A.2	Modifications	19
III.B	RESTRICTIVE MATERIALS TO BE BURNED.	19
III.C	REGULATION OF CEMENT KILN DUST AND OTHER RESIDUES.	19
III.D	HAZARDOUS WASTE AND OTHER FEED STREAM ANALYSIS	20
III.E	COMPLIANCE WITH REGULATIONS	20
III.F	RISK ASSESSMENT UPDATE	21
SECTION IV—COMPLIANCE SCHEDULE		21