

**RESPONSE TO COMMENTS  
FINAL PERMITTING DECISION**

Response to comments received on the subject draft permit in accordance with regulations promulgated at 40 CFR Part 124.17 are as follows:

Permit No.: AR0042846

Applicant: Ash Grove Cement Company

Prepared by: Shane Byrum

Public Notice Date: The draft permit was publicly noticed on or about 3/21/2012.

The following comments have been received on the draft permit:

Letter from Carey Austell, Ash Grove Cement to Shane Byrum, ADEQ dated 4/20/2012.

ISSUE #1

Ash Grove Cement (AGC) commented that the permit and Statement of Basis contain the wastewater source “Chalk Dryer Wet Scrubber Discharge” for Outfall 003. AGC stated that this source of wastewater was removed when the new dry cement production process was installed, therefore this source of wastewater should be removed from the list of wastewater sources in the permit and Statement of Basis for Outfall 003.

RESPONSE #1

The chalk dryer wet scrubber will be removed from the list of wastewater sources in the permit and Statement of Basis for Outfall 003 since it is no longer in service and therefore, not a wastewater source.

ISSUE #2

AGC commented that “truck washout water” is listed as a wastewater source for Outfall 003, but this wastewater is generated at the maintenance shed area where it goes through a settling pit and oil/water separator before being discharged to the “Blue Hole” pond. AGC commented that this source of wastewater should be removed from the description of wastewater sources for Outfall 003 in the permit and Statement of Basis.

RESPONSE #2

According to the revised flow diagram submitted with the comment, the truck wash water is routed to the “Blue Hole” pond and this pond is subsequently discharged to the “Process Water Pond” associated with Outfall 003. Since the truck wash water is eventually discharged through Outfall 003, ADEQ will keep it listed as a wastewater source for Outfall 003 to reflect the final disposition of this wastewater. This is consistent with the listing of “stormwater runoff from coal

processing area” as a wastewater source at Outfall 003, in which this water is initially routed to a coal washout pond prior to discharging to the process water pond. The list of wastewater sources at Outfall 003 reflect the sources that are eventually discharged to the process water pond which then discharges at Outfall 003. Consequently, some of the wastewater sources listed in the permit for Outfall 003 receive treatment in other ponds prior to discharge to the process water pond.

### ISSUE #3

For the first time, the permit contains TSS and Temperature Rise limitations at Outfall 003 based on 40 CFR Part 411, Subpart A. Subpart A of Part 411 is for non-leaching cement manufacturing processes (dry process). AGC submitted comments concerning the applicability of Subpart A to this facility. Subpart A contains production based effluent limitations for TSS expressed as 0.005 lbs of TSS per 1000 lbs of product. In addition, Subpart A contains a limitation on temperature rise from the intake to the discharge of no greater than 3 ° C.

AGC stated that this facility has not been subject to 40 CFR Part 411, Subpart A in past permits. AGC stated that the vast majority of the water balance deals with runoff from material storage piles for which only 40 CFR Part 411 Subpart C is applicable. AGC stated that they have recently replaced the old “wet” cement manufacturing process with a “dry” process and that the only aqueous wastestream associated with this new process is non-contact cooling water which is recirculated through the process water pond. AGC stated that since the cooling water is recirculated and does not come into contact with the process material, it is not picking up contaminants, i.e. TSS, that are being released to the environment as contemplated in the ELG.

AGC goes on to state that they have no capability to control the discharge from Outfall 003 following a precipitation event, therefore even with low TSS concentrations, there is no way to control the mass of TSS discharged because since the majority of discharge from the process water pond at Outfall 003 is from stormwater runoff from material storage piles. AGC also stated that since the only aqueous wastestream being discharged through Outfall 003 associated with the cement manufacturing process is non-contact recirculated cooling water, AGC believes that it complies with the intent of the ELG which requires no discharge of process generated wastewater into navigable waters, and that the only applicable requirement is 40 CFR 411, Subpart C, Materials Storage Piles Runoff Subcategory.

Finally, AGC states that the amount of TSS discharged from Outfall 003 is not related to production rates since the only operation possibly subject to Subpart A is the recirculation of non-contact cooling water to and from the process water pond used for the purpose of cooling various equipment in the cement mills.

For the above stated reasons, AGC does not believe that Subpart A is applicable to this facility and requested that the TSS and Temperature Rise limitations be removed from the permit at Outfall 003.

### RESPONSE #3

ADEQ has consulted with the EPA designated contact for this effluent limitation guideline concerning the applicability of 40 CFR Part 411, Subpart A to this facility. According to an email dated 4/26/2012 from Jezebele Alicea, Environmental Engineer in the Technology and Statistics Branch of EPA headquarters in Washington, 40 CFR 411 Subpart A does not apply to the non-contact cooling water wastestream at this facility and that Subpart A of Part 411 only applies to process wastewaters that are in direct contact with raw materials, manufacturing, or cleaning processes.

Based on this determination by EPA, the TSS production-based mass limits and temperature rise limits that were included in the draft permit at Outfall 003 will be removed in the final permit since the only wastestream generated that is associated with the cement manufacturing process at this facility is non-contact cooling water. Therefore, the only subcategory that applies to this facility is 40 CFR Part 411, Subpart C - Materials Storage Piles Runoff Subcategory.

ADEQ has added the 4/26/2012 email from EPA to the list of sources in Section 18 of the Statement of Basis, and has revised Section 14.C.3 of the Statement of Basis to indicate that only 40 CFR Part 411, Subpart C is applicable to this facility.

