



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

CERTIFIED MAIL

December 17, 2012

Mark Reider, Area Environ. Manager
Carmeuse Lime, Inc.
Grand River Operations
15 Williams Street
Grand River, OH 44045

**Re: Director's Final Findings and Orders
Carmeuse Lime, Inc.**

Dear Mr. Reider:

Transmitted herewith are Final Findings & Orders of the Director concerning the matter indicated.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio". The Commission, in its discretion, may reduce it if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

Sincerely,

A handwritten signature in cursive script that reads "Georgia Frakes".

Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosure

cc: Brad Mitchell/Scott Hester, DMWM, CO
Lynn Sowers/Jennifer Carlin, DMWM, NEDO
Ed Fasko, DAPC, NEDO
Lake County Health Department

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Issuance Date: December 17, 2012

Effective Date: December 17, 2012

Expiration Date: October 20, 2015

Don Lassiter Date: 12-17-12

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Carmeuse Lime, Inc.
Grand River Operations
Attn: Mark Reider, Area
Environmental Manager
15 Williams Street
Grand River, Ohio 44045

Director's Final Findings
and Orders

OHIO E.P.A.
DEC 17 2012
FILED DIRECTOR'S JOURNAL

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Carmeuse Lime, Inc. Grand River Operations ("Carmeuse Lime") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") Section 3734.02(G) and Ohio Administrative Code ("OAC") Rule 3745-27-03(B).

II. PARTIES BOUND

These Orders shall apply to and be binding upon Carmeuse Lime and successors in interest liable under Ohio law. No change in ownership of Carmeuse Lime or of the Facility, as hereinafter defined, shall in any way alter Carmeuse Lime's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA ("Director") has determined the following findings:

1. Carmeuse Lime operates a lime and limestone products production facility, the Carmeuse Lime, Inc. Grand River Operations ("Facility"), located at 15 Williams Street, Grand River, Ohio, Lake County.

2. Carmeuse Lime uses an engineered fuel [consisting of 20 percent to 30 percent absorbents (sawdust, paper, cardboard), 5 percent to 20 percent shredded consumer products (shampoos, soaps, personal care goods), 5 percent to 10 percent latex, adhesive waste and washes, 10 percent to 20 percent oily debris, 10 percent to 20 percent banbury sludge, 10 percent to 20 percent resins, gels and polyols, 5 percent to 20 percent carbon black, and 10 percent to 20 percent shredded plastics and paper goods] as an alternative fuel source in their two rotary kilns (Units P001 and P002) at the Facility, pursuant to Director's Final Findings and Orders (DFFOs) issued on December 23, 2011. The December 23, 2011 DFFOs expire on December 31, 2012.
3. Carmeuse Lime conducted emissions testing on the two rotary kilns with the Fuel on July 21, 2011 through July 22, 2011. Emissions testing determined that emissions from the use of the Fuel were equal to or less than the emissions when fueling with bituminous coal only. Therefore, Carmeuse Lime submitted to the Division of Air Pollution Control an administrative permit amendment to allow continued use of the alternative engineered fuel. A Minor Permit Modification was issued on April 17, 2012 and will expire on October 20, 2015.
4. On October 4, 2012, Carmeuse Lime submitted a request for Director's Exemption from solid waste requirements for the Facility's two rotary kilns (Units P001 and P002), in order to use the engineered fuel in the manner authorized by the Minor Permit Modification issued on April 17, 2012.
5. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes in such quantities or under such circumstances that, in the determination of the Director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a permit or license or comply with other requirements of ORC Chapter 3734 and any rules adopted thereunder.
6. To the extent that the use of this alternative fuel source would require Carmeuse Lime to obtain a permit and license under ORC Chapter 3734 and the rules promulgated thereunder, or comply with OAC Chapter 3745-27 and 3745-37 pertaining to operation and final closure of a solid waste incinerator or solid waste energy recovery facility, the Director has determined that issuance of an exemption to Carmeuse Lime from those requirements so that Carmeuse Lime may use the alternative engineered fuel, as approved by Ohio EPA, is unlikely to adversely affect the public health or safety or the environment.

V. ORDERS

1. Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), Carmeuse Lime is hereby exempted from the requirements of ORC Chapter 3734 and the rules promulgated thereunder to obtain a permit and license and comply with the requirements of OAC Chapter 3745-27 and 3745-37 pertaining to operation and final closure of a solid waste incinerator or solid waste energy recovery facility as these requirements pertain to Carmeuse Lime's use of the engineered fuel described in the request and Findings Number 2, above, as an alternative fuel source at the Facility.
2. This exemption shall expire on October 20, 2015.

VI. OTHER CLAIMS

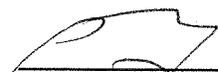
Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action, or demand in law or equity against any person, firm, partnership, or corporation, not a party to these Orders, for any liability arising from, or related to, the Facility.

VII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Carmeuse Lime or the Facility.

IT IS SO ORDERED:

Ohio Environmental Protection Agency



Scott J. Nally
Director