

8. General Information

Throughout this document “we,” “us,” and “our” means EPA.

1. What Actions Are We Taking in This Document?

On April 30, 2000, the Governor of Texas submitted to us rule revisions to 30 TAC, Chapter 117, Control of Air Pollution From Nitrogen Compounds concerning cement kilns operations (April 30, 2000 SIP submittal). The April 30, 2000 SIP submittal specifically addressed revisions to the following sections of Chapter 117.

TABLE I.—AFFECTED SECTIONS OF THE RULE UNDER APRIL 30, 2000 SIP SUBMITTAL

Section	Title
117.260	Cement Kiln Definitions.
117.261	Applicability.
117.265	Emissions Specifications.
117.273	Continuous Demonstration of Compliance.
117.279	Notification, Recordkeeping, and Reporting Requirements.
117.283	Source Cap.
117.524	Compliance Schedule for Cement Kilns.

In CEMEX USA (CEMEX) and TXI Operations, LP (TXI) v. TCEQ, Case No. GN001480 (Travis Co. Dist. Ct. April 30, 2003), CEMEX and TXI challenged the State for adopting the above revision to Chapter 117. As a part of a negotiated settlement of the case, TCEQ issued a re-proposal to revise 30 TAC, Chapter 117, on October 24, 2002. The incorporation of the re-proposal into the SIP may result in better compliance by the regulated community and thus more certainty that the emission reductions will actually occur.

On December 9, 2002, EPA submitted comments to TCEQ concerning re-proposed revisions to Chapter 117.

On April 2, 2003, TCEQ submitted a revised Chapter 117, Control of Air Pollution from Nitrogen Compounds rule concerning cement kilns operations

as a revision to the SIP (April 2, 2003 SIP submittal). The April 2, 2003 SIP submittal specifically addressed revisions to the following sections of Chapter 117.

TABLE II.—AFFECTED SECTIONS OF THE RULE UNDER APRIL 2, 2003 SIP SUBMITTAL

Section	Title
117.260	Cement Kiln Definitions.
117.265	Emissions Specifications.
117.279	Notification, Recordkeeping, and Reporting Requirements.
117.283	Source Cap.
117.524	Compliance Schedule for Cement Kilns.
117.570	Use of Credits for Compliance.

See our TSD for additional details/ information and our evaluation of these submittals.

2. Why Are We Approving These SIP Revisions for Texas?

The April 30, 2000 and April 2, 2003 SIP submittals require the affected sources to reduce their NO_x emissions from cement kilns by at least thirty percent from the 1996 baseline emissions levels. The April 30, 2000 and April 2, 2003 SIP submittals also offer operational flexibility to the affected sources to comply with the NO_x emissions limitations. We are approving these revisions to the Texas SIP because they will contribute to attainment of the 1-hour ozone NAAQS, and as a measure to strengthen the SIP. We are approving these revisions to the Texas SIP as meeting the requirements of the Act.

3. What Is NO_x?

Nitrogen oxides belong to the group of criteria air pollutants. NO_x results from burning fuels, including gasoline and coal. Nitrogen oxides react with volatile organic compounds (VOC) to form ozone or smog and are also major components of acid rain.

4. What Is a SIP?

Section 110 of the Act requires States to develop air pollution regulations and control strategies to ensure that State air quality meets the NAAQS that EPA has established. Under section 109 of the Act, EPA established the NAAQS to protect public health. The NAAQS address six criteria pollutants. These criteria pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each State must submit these regulations and control strategies to us for approval and incorporation into the federally enforceable SIP. Each federally approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing State regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

5. What Are the Existing NO_x Emissions Specifications in the Texas SIP?

Currently, Texas SIP contains no federally-approved requirements for controlling NO_x emissions from cement kilns. By approving the April 30, 2000 and April 2, 2003 SIP submittals we will be strengthening the Texas SIP compliance for enforcement purposes.

6. What Do These Rule Revisions for Cement Kilns That We Are Approving Provide?

These rule revisions require at least 30% reductions of NO_x compared with the 1996 baseline emission inventory from cement kilns operating in Bexar, Comal, Ellis, Hays, and McLennan Counties (East and Central Texas). The following two tables contain a summary of these SIP revisions for cement kilns in East and Central Texas.

TABLE III.—AFFECTED SOURCES, LOCATIONS, AND NO_x EMISSIONS SPECIFICATIONS FOR CEMENT KILNS

Source	County	NO _x emission specification
Long wet kiln	Bexar, Comal, Hays, McLennan	6.0 lb NO _x /ton of clinker produced.
Long wet kiln	Ellis	4.0 lb NO _x /ton of clinker produced.
Long dry kiln	Bexar, Comal, Hays, McLennan, Ellis	5.1 lb NO _x /ton clinker of produced.
Preheater kiln	Bexar, Comal, Hays, McLennan, Ellis	3.8 lb NO _x /ton of clinker produced.
Precalciner or preheater-precaciner kiln	Bexar, Comal, Hays, McLennan, Ellis	2.8 lb NO _x /ton of clinker produced.