



FACT SHEET
ASH GROVE CEMENT COMPANY
CHANUTE, KANSAS
DRAFT PERMIT DETERMINATION
December 9, 2021

This fact sheet, in accordance with the requirements of Kansas Administrative Regulations (K.A.R.) 28-31-124d, has been prepared for a draft Resource Conservation and Recovery Act (RCRA) permit that the Kansas Department of Health and Environment (KDHE) intends to issue to Ash Grove Cement Company (Ash Grove), for its hazardous waste management facility located at 1801 North Santa Fe, Chanute, Kansas (Figure 1). In accordance with permit condition I.E.3 and 40 CFR 270.30(b), Ash Grove submitted a complete RCRA permit renewal application to continue operating this hazardous waste storage and processing facility. In the interim, all hazardous waste management activities have been and are currently taking place under the authority of the facility's expired permit. The draft permit combines the previous KDHE issued Part I and EPA issued Part II permits into a single permit. The permit will allow the storage and processing of hazardous waste in containers and tanks from on-site and off-site hazardous waste facilities and continues EPA established site-wide corrective action requirements to protect human health and the environment. Any treatment, storage or disposal of hazardous waste not authorized in the permit is prohibited.

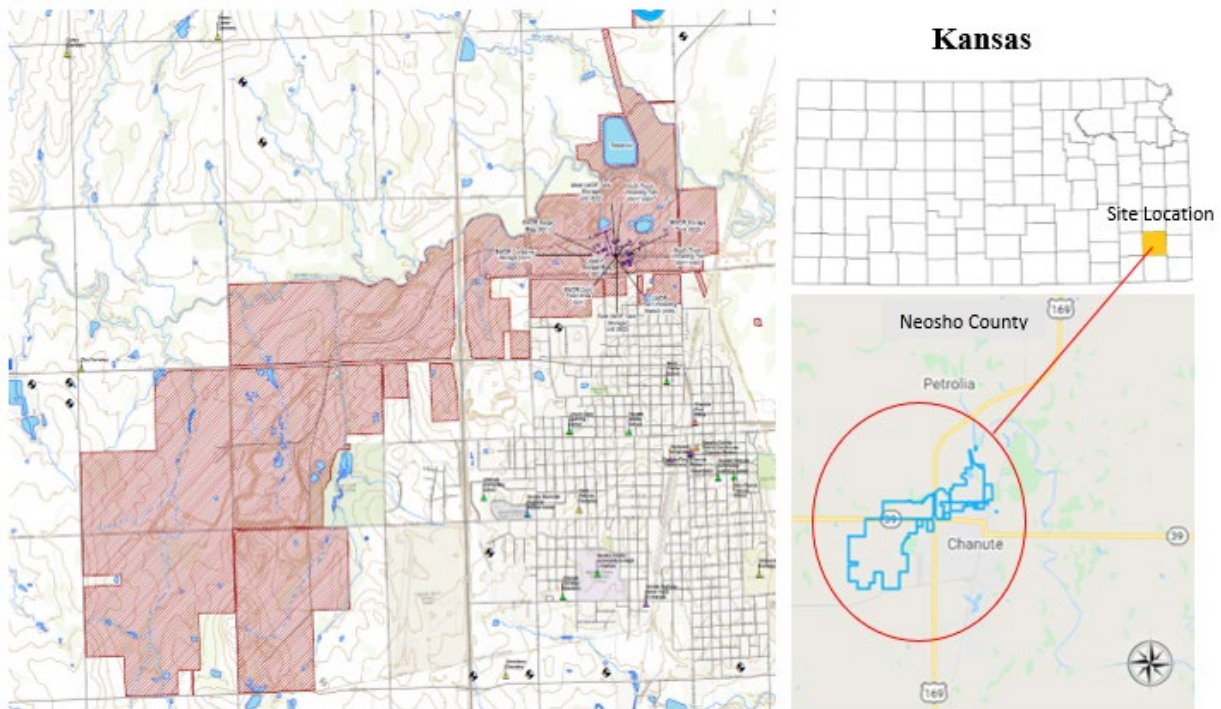


Figure 1 – Facility Location Map

I. Facility Permit Overview

Ash Grove owns and operates a five-stage pre-heater/pre-calcliner cement kiln that burns hazardous waste to supplement the facility's fuel needs. The facility was originally permitted to store and process hazardous wastes in 1996; however, Ash Grove began burning hazardous waste in 1986 when cement plants were exempt from hazardous waste regulations if the waste had energy value and was burned as fuel for cement manufacturing. In 1998 the facility increased its hazardous waste storage capacity with the addition of three new storage tanks, and in 2000 the permit was modified again when the facility replaced the old wet kiln system with the current dry process pre-heater/pre-calcliner cement kiln. The 2000 modification also included the replacement of a container storage building and the addition of a new containerized conveyance system. In 2008 the facility added a bulk waste derived fuel storage tank/silo and pneumatic conveyance system to further expand its waste burning capabilities. In 2010 the permit was renewed again and since then has not been modified in a significant way though minor administrative modifications to the permit have occurred. On January 20, 2020 the facility applied for the renewal of its RCRA permit to continue to operate the hazardous waste storage and processing facility at 1801 North Santa Fe Street, Chanute, Kansas.

In addition to cement production related activities such as quarrying and crushing limestone, proportioning and grinding raw materials, pyroprocessing of raw material mixes to form portland cement clinker, and the grinding of clinker with gypsum to form Portland cement; Ash Grove also operates three distinct hazardous waste management systems to supplement the facility's pyroprocessing fuel needs. The cement manufacturing process requires large amounts of thermal energy and hazardous waste, also referred to as Waste Derived Fuel (WDF), is capable of supplying a significant portion of this energy. Activities associated with the hazardous waste management systems include the receiving, blending, and storage of WDF. The WDF replaces traditional fossil fuels; coal coke, and natural gas used to provide the heat energy for the kilns. The receipt, storage, and processing of hazardous waste at Ash Grove are regulated under the Resource Conservation and Recovery Act (RCRA) and under the Kansas Hazardous Waste regulations, which are the subject of this permit. The combustion of hazardous waste in the pyroprocessing cement kiln is regulated by the Environmental Protection Agency (EPA), 40 CFR Part 63, subpart EEE and is not the subject of this permit.

The principle waste management activity at the facility is the receipt of hazardous waste liquids, solids, and semi solid sludge from off-site generators and other hazardous waste processors, which are then processed into a fuel for use in the pyroprocessing cement kiln. On occasion the facility may receive waste that can't be processed into a useable fuel; these wastes may be temporally stored and transferred on to other permitted facilities. The facility utilizes an approved Waste Analysis Plan (WAP) that describes the procedures, sampling and analysis requirements, and rationale that is followed to ensure adequate information is available to identify and manage hazardous waste safely. The WAP is contained in Section 3 of the Permit Application.

Wastes are received via rail and over the road in both bulk and palletized containers. Upon receipt, waste manifest and other documentation is reviewed to verify the contents of each shipment and once verified palletized containers are unloaded and moved to designated area of the Solid Waste Derived Fuel (SWDF) container storage building for inspection and sampling. After being sampled and analyzed in accordance with the approved WAP, containers are staged

as needed in the SWDF surge building and the SWDF container feed area where they are eventually loaded onto a conveyor system that feeds the containers into the kiln. Each of the container storage areas listed in Table 1, with the exception of the Bulk Waste Derived Fuel (BWDF) Storage Area, has concrete secondary containment systems designed in accordance with 40 CFR 264.175 requirements that are capable of containing 10% of the areas permitted storage capacity and 100% of the largest capacity container permitted for each area. The facilities' total permitted container storage capacity is 196,864 gallons. Table 1 lists the storage capacity of each container storage area.

Table 1. Container Storage Area Capacities

Storage Area	Storage Capacity
SWDF Container Storage Building	Maximum of 111,636 total gallons
SWDF Surge Building	Maximum of 40,320 total gallons
SWDF Container Feed Area	Maximum of 11,508 total gallons
North LWDF Unloading Area	Maximum of 5,700 total gallons (Bulk LWDF or BWDF Containers only)
South LWDF Unloading Area	Maximum of 5,700 total gallons (Bulk LWDF or BWDF Containers only)
BWDF Storage Area	Maximum of 22,000 total gallons (Approximately 4 Truck Trailers)

In addition to the container storage areas, the facility also utilizes two distinct and separate tank systems to manage hazardous waste and deliver it to the pyroprocessing system at the facility; the Liquid Waste Derived Fuel (LWDF) tank system and the Bulk Waste Derived Fuel (BWDF) tank system.

The LWDF tank system has a total of five (5) 38,000-gallon aboveground tanks located in two separate containment areas that are adjacent to each other; these areas are referred to as the West LWDF Storage Tank Area and the East LWDF Storage Tank Area. The West LWDF area contains two (2) tanks and the East LWDF area contains three (3) tanks. All LWDF tanks are situated within metal buildings that have concrete secondary containment structures designed to contain 100% of the volume of the largest tank within the structure plus the potential rainfall generated from a 25-year 24-hour storm event. The floor of each containment area is sloped to a sump where a pump is used to remove accumulated precipitation. Each tank is equipped with either a mechanical or electronic level measuring device, which is connected to a high-level alarm that will alert employees to prevent overflowing the tanks. All tanks are vented to the facility's pyroprocessing system, and each tank is also equipped with an emergency pressure release vent.

In addition to the storage tank areas there are three distinct bulk container unloading areas referred to as the Rail Car Unloading Station, the North LWDF Unloading Area, and the South LWDF Unloading Area. The Rail Car Unloading Station is located adjacent to and north of the

West LWDF Storage Tank Area while the North and South Truck unloading Areas are located adjacent to and south of both storage tank areas. All three unloading stations have adequate secondary containment to contain 100% of the largest rail car or tanker truck to be unloaded, and each of the truck unloading stations have adequate secondary containment to allow the unloading areas to be used for bulk container storage when needed.

The BWDF tank system consists of one (1) 300 cubic yard aboveground storage tank/silo positioned above two (2) 15 cubic foot metering kettles with associated piping, an air emissions dust collection baghouse mounted atop the tank/silo, a concrete pad where trucks are parked while unloading, and an equipment pad where compressors and blowers that provide the motive air for the conveyance of BWDF to the pyroprocessing system are located. The entire system with the exception of the unloading area is contained within a metal building. The BWDF system is not permitted to store or manage wastes that contain free liquids and therefore secondary containment for the tank and truck unloading area is not provided.

Each tank that stores hazardous waste has been inspected and certified by qualified independent engineers as having adequate structural integrity per 40 CFR 264.191. The facility's total permitted LWDF tank storage capacity is 190,000 gallons, and total BWDF storage capacity is 300 cubic yards. Table 2 lists the dimensions and storage capacities of each storage tank.

Table 2. Tank Dimensions and Storage Capacities

Tank System	Tank Number	Capacity (Gallons)	Dimensions	Total Tank System Capacity (Gallons)
West LWDF Tank System	1	38,000	14 ft (Dia) x 33 ft	76,000
	2	38,000	14 ft (Dia) x 33 ft	
East LWDF Tank System	3	38,000	14 ft (Dia) x 33 ft	114,000
	4	38,000	14 ft (Dia) x 33 ft	
	5	38,000	14 ft (Dia) x 33 ft	
BWDF Tank System	6	300 (cubic yards)	14 ft (Dia) x 40 ft	300 cubic yards

All permitted container storage areas, storage tanks, and unloading areas are located within the fenced boundary of the cement plant. All container storage areas and storage tanks comply with 40 CFR Part 264 Subpart I, Subpart J, respectively, and applicable 40 CFR Part 270 requirements. Emergency equipment is available at the facility and appropriate warning signs are posted on the perimeter fences. Most liquid and solid hazardous wastes stored at the facility are destined for use as fuel in the cement kiln; however, some waste may be transported off-site to other RCRA treatment, storage, or disposal facilities (TSDFs) for management in an environmentally safe manner. In the event of closure, all storage areas and the pyroprocessing system will be decontaminated in accordance with the approved closure plan. Additional information on the hazardous waste management activities at the Ash Grove facility can be found in the final permit, administrative record, or obtained from the KDHE contact.

II. Permitting Regulatory Authority

In October 1985, the State of Kansas received final authorization from the Environmental Protection Agency (EPA) to implement its own hazardous waste management program in lieu of the federal program, except for those portions covered by the 1984 Hazardous and Solid Waste Amendments (HSWA). In September 2013, authority for the HSWA corrective action portion of the RCRA program was delegated to the State of Kansas. Therefore, issuance of this permit will render the current EPA Part II HSWA permit unnecessary; and, following issuance of this KDHE permit, EPA will terminate their June 17, 2010 Part II permit.

Prior to receiving state authorization for the corrective action portion of the RCRA program, the U.S. EPA made corrective action decisions based on documents contained in U.S. EPA's administrative record(s), which were placed on public notice prior to each permit action. KDHE has accepted these decisions in preparing the draft permit. Some administrative records of prior U.S. EPA corrective action decisions that contain supporting information for elements of this draft permit may not be included in KDHE's Administrative Record for this permit action. Although KDHE has accepted and incorporated U.S. EPA corrective action decisions into the draft permit, KDHE retains the authority to require additional investigation and/or corrective action at any existing or newly identified solid waste management unit (SWMU), area of concern (AOC), and/or release as determined necessary to protect human health and the environment.

The draft permit sets forth the applicable requirements that KDHE will require the Permittee to comply with during the 10-year duration of the permit. The draft permit includes standard permit conditions, general facility conditions, container and tank storage requirements, hazardous waste processing requirements, air emission conditions, and regulatory provisions for all releases or potential future Releases from any SWMU, AOC, and/or release at this facility.

The draft permit is being considered for issuance under authority of the Kansas Statutes Annotated (K.S.A.) 65-3430 *et seq.* and KAR 28-31-4 through 28-31-279a. Documents that support the permit conditions specified in the draft permit are part of the administrative record. Applicable regulations are found in 40 CFR Parts 124, 260 through 264, 268, and 270, as specified in the draft permit. All citations found in the draft permit to federal regulations are for the sake of convenience, but federal regulations are only in effect to the extent they are incorporated by state regulations. Some modifications to federal regulations by applicable state regulations are noted in the draft permit, but all modifications to federal regulations by state regulations are incorporated. To the extent that state regulations exclude any sections of applicable federal regulations, those sections are still in effect but are not enforceable by the Secretary. In the instance of inconsistent language or discrepancies between conditions found in the Permit, state regulations, or federal regulations, state law governs.

III. Summary of the RCRA Permitting Process

State hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit prior to KDHE taking a final action. The purpose of having a public comment period is to provide interested parties an opportunity to evaluate the conditions specified in the draft permit and to provide input into the permit decision-making process. The public comment period began on October 21, 2021 and was originally set to end on December 5, 2021; however, due to an error that resulted in the public notice not being published in the Kansas Register the public notice and comment period was re-announced December 9, 2021 for an additional 45-days until January 23, 2022. The administrative record, which includes all data submitted by the applicant, the draft permit, permit application, and other relevant correspondence, is available for public review at the following locations:

Kansas Department of Health and Environment Hazardous Waste Permits Section 1000 SW Jackson Street, Suite 320 Topeka, Kansas 66612-1366 Contact: Steve Sellmeyer (785) 296-1236 Steve.Sellmeyer@ks.gov	City of Chanute Public Library 111 N. Lincoln Chanute, KS 66720 Contact: Kara Hale Tel: (620) 378-2863
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A subset of the complete administrative record that includes the Draft Permit, Fact Sheet, Permit Application, and other documents typically of interest to the public is also available on the KDHE website at: http://www.kdheks.gov/waste/p_pubnot_hw.html

As specified in 40 CFR 124.11, during the public comment period any interested person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. At this time a public hearing has not been scheduled; however, if written requests are received which indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled and advanced notice regarding the location and time of the hearing will be given to the public. In accordance with 40 CFR 124.12, if a public hearing is held, any person may submit oral or written statements and data concerning the draft permit or Permit Application.

IV. Procedures for Reaching a Final Decision

The Secretary of KDHE will make the decision regarding the issuance of the final permit after the close of the public comment period. If a public hearing is held, the Secretary will consider all comments received during the public hearing and comment period.

When the final decision to issue or deny the permit is made, notice will be given to the applicant, all persons who submitted written comments, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon issuance of the final permit decision. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision to allow for public review of the revisions. Appeals of the final permit decision for the permit must be filed within fifteen days after service of notice in accordance with K.S.A 65-3440 and K.S.A. 77-601 *et seq.*

V. Permit Organization

The permit is organized in the following manner:

RCRA Permit	Description
Cover Sheet	Sets forth basic legal authority.
Section I Standard Permit Conditions	General permit conditions which are the regulatory requirements specified in 40 CFR 270.
Section II General Facility Conditions	General facility permit conditions which are the regulatory requirements specified in 40 CFR 264.
Section III Corrective Action for SWMUs/AOCs/Releases	Specific conditions requiring evaluation of releases of hazardous constituents from solid waste management units and corrective action as appropriate.
Section IV Storage in Containers	Specific operating conditions, limitations, procedures, and requirements which implement the regulatory requirements of 40 CFR 264, Subpart I.
Section V Storage in Tanks	Specific operating conditions, limitations, procedures, and requirements which implement the regulatory requirements of 40 CFR 264, Subpart J.
Section VI Miscellaneous Units	Specific operating conditions, limitations, procedures, and requirements which implement the regulatory requirements of 40 CFR 264, Subpart X.
Section VII Air Emission Standards	Specific operating conditions, limitations, procedures, and requirements which implement the regulatory requirements of 40 CFR 264, Subparts AA, BB, and CC.