

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF LAFARGE MIDWEST, INC.)
FOR BOILER DETERMINATION THROUGH)
ADJUSTED STANDARD PROCEEDINGS)
Pursuant to 35 Ill. Adm. Code 720.132 and)
720.133)
)
Petitioner.)
)

RECEIVED
CLERK'S OFFICE

APR 27 2006

STATE OF ILLINOIS
Pollution Control Board
Case No. AS 06 - 003

NOTICE OF FILING

TO: Illinois Pollution Control Board
Attn: Dorothy M. Gunn, Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, IL 60601-3218

Division of Legal Counsel
Illinois Env. Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

NOW COMES the Petitioner, LAFARGE MIDWEST, INC., by and through its attorneys, Hinshaw & Culbertson LLP, and provides PROOF OF PUBLICATION in accordance with the requirements of Section 104.410 of the Pollution Control Board regulations (35 Ill. Admin. Code 104.410) and in accordance with Section 104.408 of the Pollution Control Board regulations (35 Ill. Admin. Cod 104.408).

PLEASE TAKE NOTICE that on this 24th day of April 2006, a copy of the attached *Proof of Publication* was filed with the Office of the Clerk of the Illinois Pollution Control Board, a copy of which is herewith served on you.

Respectfully Submitted,

On behalf of LAFARGE MIDWEST, INC.,

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of Its Attorneys

HINSHAW & CULBERTSON LLP
456 Fulton Street, Suite 298
Peoria, IL 61602-1220
309-674-1025

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PROOF OF PUBLICATION

NOW COMES the Petitioner, LAFARGE MIDWEST, INC., by and through its attorneys, Hinshaw & Culbertson LLP, and provides PROOF OF PUBLICATION in accordance with the requirements of Section 104.410 of the regulations of the Illinois Pollution Control Board (hereafter "Board"). In support of its PROOF OF PUBLICATION, Petitioner states as follows:

In accordance with Section 104.408 (35 Ill. Admin. Code 104.408), Petitioner caused to be published a Notice of the filing of the Petition in this cause by advertisement in a newspaper of general circulation in the area likely to be affected by the Petitioner's activity that is the subject of this adjusted standard proceeding. The Notice was published in *The Metropolis Planet* on April 12, 2006, which publication date occurred within fourteen (14) days after the filing of the Petition in this cause.

The Metropolis Planet is a weekly secular newspaper of general circulation that is published in the City of Metropolis, County of Massac, Illinois. Distribution of *The Metropolis Planet* includes Massac County and neighboring counties in southern Illinois and northern Kentucky. The Petitioner's Joppa Portland Cement Plant is located in Massac County near the village of Joppa, Illinois at the common mailing address of 2500 Portland Road, Grand Chain, Illinois. Petitioner is seeking a case-by-case boiler determination for the Raw Mill Dryer #1 and Raw Mill Dryer #2 to provide fuel flexibility for those units to utilize off-specification used oil as supplemental fuel.

In accordance with Section 104.410 (35 Ill. Admin. Code 104.410), Petitioner is filing the original publisher's Certificate of Publication received from Paxton Media Group LLC, certifying publication of the Notice in *The Metropolis Planet* on the date and in the form stated in the Certificate of Publication. The original Certificate of Publication is attached hereto as Exhibit A.

Respectfully Submitted,

On behalf of LAFARGE MIDWEST, INC.,

By: Hinshaw & Culbertson LLP



Jon S. Faletto
One of Its Attorneys

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720.133)	
)	
Petitioner.)	
)	

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached *Proof of Publication* upon the person or agency to whom it is directed, by placing it in an envelope addressed to:

Illinois Pollution Control Board
Attn: Dorothy M. Gunn, Clerk
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601-3218

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

and mailing it via UPS Ground Mail from Peoria, Illinois, on this 24th day of April, 2006, with sufficient postage affixed thereto.

Respectfully Submitted,

On behalf of LAFARGE MIDWEST, INC.,

By: Hinshaw & Culbertson LLP



 Jon S. Faletto
 One of Its Attorneys

HINSHAW & CULBERTSON LLP
456 Fulton Street, Suite 298
Peoria, IL 61602-1220
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Exhibit A

CERTIFICATE OF PUBLICATION
THE METROPOLIS PLANET
METROPOLIS, ILLINOIS

COUNTY OF MASSAC
STATE OF ILLINOIS

Paxton Media Group Inc., a corporation organized and existing under the laws of the State of Illinois, does hereby certify that is the publisher of The Metropolis Planet, a weekly secular newspaper of general circulation; that said newspaper is being published and has been published in the City of Metropolis, County of Massac, and State of Illinois, for more than one year prior to the date of the first insertion of the notice annexed hereto; that said annexed notice was published in said newspaper in the issue published on the 12th day of April, 2006 which are the dates of the first and last paper containing said notice.

I further certify that said newspaper is a newspaper as defined in "an Act to revise the law in relation to notices" as amended by Act approved July 17, 1959 — Illinois Revised Statutes, Chap. 100, Para. 1 & 5.

Given under my hand this 14th day of April, 2006.

PAXTON MEDIA GROUP LLC
By Betsy Fellows
Authorized Agent

Received _____
Which is payment in full for above legal advertisement.

\$ 111.38 is amount due in full for above legal advertisement.

Notice of Petition by Lafarge Midwest, Inc. for Boiler determination Through Adjusted Standard Proceedings before the Illinois Pollution Control Board
TAKE NOTICE that Lafarge Midwest, Inc. has filed a Petition for Boiler Determination Through Adjusted Standard Proceedings before the Illinois Pollution Control Board.

Date Filed: The Petition for Boiler Determination was filed with the Pollution Control Board on March 29, 2006 via UPS Ground Mail in accordance with 35 Ill. Admin. Code Section 101.602(c).

Board Docket Number: The Board has assigned Docket Number AS 06-003 to this proceeding.

Regulatory Standard: Lafarge Midwest, Inc. as the Petitioner in this proceeding is requesting a determination that Raw Mill Dryer #1 and Raw Mill Dryer #2, operated at the Joppa Cement Plant may be considered "boilers". In accordance with the provisions of 35 Ill. Admin. Code Sections 720.132 which expressly provide for a case-by-case determination that certain enclosed devices using controlled flame combustion are boilers. The Pollution Control Board regulations at Ill. Admin. Code 720.133 provide that the Board will make such a boiler determination on a case-by-case basis utilizing the Adjusted Standard procedures.

Proposed Adjusted Standard: Lafarge Midwest, Inc. seeks a determination from the Pollution Control Board that Raw Mill Dryer #1 and Raw Mill Dryer #2 may be considered "boilers by designation"

as that term is defined in 35 Ill. Code Section 720.10.

General Description of Petitioner's Activity: Petitioner: Lafarge Midwest, Inc. owns and operates the Joppa Portland Cement Plant which produces Portland cement from raw materials. In the cement manufacturing process, the raw materials are ground and dried before they are transferred into the cement kilns. The Raw Mill Dryers #1 and #2 utilize a substantial amount of fuel to the raw materials to the very low moisture content that must be achieved before the ground materials can be added to the kilns. Classification of the Raw Dryers as boilers by designation will provide greater fuel flexibility.

Location of Petitioner's Facility: The Petitioner's Joppa Portland Cement Plant is located in Massac County, Illinois adjacent to the Ohio River. The closest community is Grand Chain, Illinois and the common address for the Joppa Cement Plant is 2500 Portland Road, Grand Chain, Illinois.

Public Hearing Request: Any person may cause a public hearing to be held in the above described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should clearly indicate the docket number to the adjusted standard proceeding as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601.