

# Rule History

## Title 30 Texas Administrative Code Chapter 117

### Cement Kilns

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#### Introduction

The official version of the rules in [Chapter 117, Subchapter E, Division 2](#) is available on the Secretary of State's website.

Each revision is identified by the date the commission adopted the changes. When available, the rule project number, which is the unique identification number from the rules tracking database for the specific rule project, is also provided for reference.

The *Texas Register* publications of the rule proposal and adoption are given for each revision. The proposed rules are approved by the commissioners to be published in the *Texas Register* for public comment. Once adopted by the commissioners, the rules are republished as final in the *Texas Register*.

These rules are submitted for United States Environmental Protection Agency (EPA) approval as part of the State Implementation Plan (SIP) control strategy to meet the National Ambient Air Quality Standard for ozone. Links to the *Federal Register* publication of the EPA's approval of these rules and the associated SIP revisions are also included.

The summary information includes the affected sections of the rule, the counties affected, the compliance date, and a brief description of the rule revisions. If the adopted rule does not provide for additional time to comply with any new or revised requirements then compliance with any rule revisions is required by the effective date of the rulemaking.

## Rule Project Adopted on 05/23/2007

### Rule project number 2006-034-117-EN

Proposal: [31 TexReg 10538](#) (12/29/2006)

Adoption: [32 TexReg 3206](#) (06/08/2007)

Date submitted to EPA: 05/30/2007

EPA approval: [74 FR 1927](#) (01/14/2009) (Note: The ammonia emission limits in Sections 117.3123(f) and 117.3125 are not in the SIP.)

Sections affected:

- New: 117.3100, 117.3101, 117.3103, 117.3110, 117.3120, 117.3123, 117.3125, 117.3140, 117.3142, 117.3145, and 117.9320
- Repealed: 117.260, 117.265, 117.279, 117.283, 117.524, and 117.570

Areas affected:

- Austin–Round Rock (ARR) area (Hays County)
- Dallas–Fort Worth (DFW) area (Ellis County)
- San Antonio (SAN) area (Bexar and Comal Counties)
- McLennan County

Compliance date: 03/01/2009 (Effective date: 06/14/2007)

Summary:

The rulemaking establishes new rule requirements in Sections 117.3123, 117.3125, and 117.3142 and incorporates existing rule requirements into the other new sections created in this rulemaking from the repealed sections.

The rulemaking establishes a nitrogen oxides (NO<sub>x</sub>) emission cap during the ozone season for all cement kilns at each site in Ellis County. The source-cap uses emission factors of 1.7 pounds of NO<sub>x</sub> per ton of clinker from dry kilns and 3.4 pounds per ton for wet kilns and clinker production during calendar years 2003 through 2005.

Owners installing kilns at a site after calendar year 2005 must offset new emissions with reductions from other kilns at the same site or through use of emission reduction credits.

Because selective non-catalytic reduction is among the control technologies available for compliance, the rulemaking includes emission limitations and alternative emission limitations for ammonia. The rulemaking also incorporates new testing and monitoring requirements.

The source cap and control measures implement reasonably available control technology requirements for cement kilns in Ellis County and are part of the [DFW Eight-Hour Ozone Attainment Demonstration SIP Revision \(2006-013-SIP-NR\)](#) (05/23/2007).



## Rule Project Adopted on 03/05/2003

### Rule project number 2002-070b-117-AI

Proposal: [27 TexReg 10562](#) (11/08/2002)

Adoption: [28 TexReg 2607](#) (03/21/2003)

Date submitted to EPA: 04/02/2003

EPA approval: [69 FR 15681](#)  (03/26/2004)

Sections affected:

- Amended: 117.260, 117.265, 117.279, 117.283, 117.524, and 117.570

Areas affected:

- ARR area (Hays County)
- DFW area (Ellis County)
- SAN area (Bexar and Comal Counties)
- McLennan County

Compliance date: (Effective date: 03/27/2003)

- 05/01/2003 - Ellis County, except as otherwise specified to allow time for permitted modifications
- 05/01/2005 - Bexar, Comal, Hays, and McLennan Counties

Summary:

The rulemaking provides additional flexibility by allowing cement kilns to use a technology option (for dry-process cement kilns) or emission reduction credits to meet the NO<sub>x</sub> reduction requirements.

In lieu of mid-kiln firing, owners of wet-process kilns can use some other form of secondary combustion that achieves equivalent NO<sub>x</sub> reductions or make other additions or changes to the kiln system that achieve at least a 30% reduction in NO<sub>x</sub> emissions. The rulemaking also allows the use of a 90-day rolling average to determine compliance in lieu of the current 30-day rolling average.

This rulemaking is part of the [DFW Attainment SIP Revision \(2002-070a-SIP-AI\)](#) (03/05/2003).

## Rule Project Adopted on 04/19/2000

### Rule project numbers 1999-046-117-AI and 1999-049-117-AI

Proposal: [24 TexReg 11959](#) (12/31/1999) and [25 TexReg 308](#) (01/14/2000) (Correction)

Adoption: [25 TexReg 4101](#) (05/05/2000)

Date submitted to EPA: 04/30/2000

EPA approval: [69 FR 15681](#)  (03/26/2004)

Sections affected:

- New: 117.260, 117.261, 117.265, 117.273, 117.279, 117.283, and 117.524

Areas affected:

- ARR area (Hays County)
- DFW area (Ellis County)
- SAN area (Bexar and Comal Counties)
- McLennan County

Compliance date: (Effective date: 05/11/2000)

- 05/01/2003 - Ellis County
- 05/01/2005 - Bexar, Comal, Hays, and McLennan Counties

Summary

The rulemaking requires Portland cement kilns to meet specific NOx emission limits. The NOx limits in pounds of NOx per ton of clinker produced are 4.0 for long wet kilns in Ellis County and 6.0 pounds in the other counties; 5.1 pounds for long dry kilns; 3.8 pounds for preheater kilns; and 2.8 pounds for preheater-precalciner or precalciner kilns.

The rulemaking establishes several compliance options. Owners and operators can comply with the rules using a weighted average if multiple kilns at the site are subject to the same limit; employ low-NOx burners and mid-kiln firing; or through a source-cap that requires the site to reduce NOx emissions by at least 30% from a 1996 baseline.

The purpose of these rules is to reduce NOx emissions from cement kilns as part of the [DFW Attainment SIP Revision \(1999-055-SIP-AI\)](#) (04/19/2000).