

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

In accordance with Governor Wolf's Proclamation of Disaster Emergency of March 6, 2020 and the Governor's powers pursuant to the Emergency Management Code, 35 Pa.C.S. §7301, the Governor has authority to suspend regulatory obligations and other legal obligations within his jurisdiction where strict compliance will prevent, hinder, or delay necessary action in coping with the COVID-19 emergency.

*If you are requesting suspension of a Federal requirement, under only Federal authority, please contact US EPA Region III and refer to the US EPA March 26, 2020 Memorandum (COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program). To the extent the request relates to a federal program delegated to Pennsylvania, Pennsylvania will review requests submitted in this format.

Submit completed and signed requests to the email resource account:
RA-EPCOVID19SuspReq@pa.gov

Background
<p>A. Identify the Regulated Entity or Permittee, including an address for the location of the permitted or regulated activity (if no address, DEP Permit No. can be used), and a point of contact for this request with email and phone number. Holcim (US) Inc. - Whitehall Plant 5160 Main St. Whitehall, PA 18052 POC - Andy Horrell (573-702-4260)</p>
<p>B. Describe what permitted or regulated activity you are engaged in. Manufacture of Cement</p>
<p>C. If you were issued a permit by DEP for the permitted or regulated activity described above, identify the type of permit and permit number. Please list the DEP Office, Conservation District, Oil and Gas District Office, or District Mining Office that issued the permit or authorization. Title V - ID# 39-00011</p>
<p>D. Identify what regulatory requirement(s) or permit condition(s) or other requirement(s) you seek a temporary suspension of. Please cite the specific regulatory requirement(s), condition(s) and/or other requirement(s). 40 CFR 63.1350(b)(iii)(C)</p>

Reasons for Requested Suspension
<p>For each regulatory requirement or permit condition or requirement listed above, please state clearly why you are seeking the temporary suspension, addressing at least the following in detail:</p>
<p>A. How will strict compliance with the subject requirement(s) prevent, hinder, or delay necessary action in coping with the COVID-19 emergency? Be as specific as possible. In response to the current COVID-19 pandemic, Holcim is requesting that the 30 day stack test retest requirement, found in 40 CFR 63.1350(b)(iii)(C), be extended until</p>

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

such time that the recommended Social Distancing and Stay-at-Home orders, currently required by State and Federal officials are lifted plus 30 days to coordinate a new stack test.

Holcim previously discussed the extension with PADEP and, ultimately, decided to attempt the stack testing due the testing already being scheduled and the unknown nature of the COVID situation. As a result of this good faith effort that was contrary to both internal and external guidance for social distancing, Holcim experienced a near miss. On Friday March 3, 2020, testing was scheduled to commence at 7:00am, however Holcim personnel received notice from the third party stack test contractor at 6:45am that one of their employees had called out sick that morning due to symptoms consistent with the onset of COVID (i.e., fever). The crew on site had been in direct contact with this individual the afternoon prior in their maintenance shop. Upon learning this Holcim personnel instructed the testing crew to exit the site in accordance with Holcim's Trigger Action Response Plan (TARP). The stack test company later informed Holcim they would be quarantining four employees due to this incident for the next 14 days.

B. How has COVID-19 restricted your ability to comply with the environmental regulatory requirement, permit condition or other requirements for which you are seeking a suspension?
Third party contractors, such as stack testing firms, present a unique risk to a otherwise closed facility as they routinely travel and enteract with groups larger then 10 individuals over a regional/national level. Current government guidance would seek to limit this type of exposer to halt the spread of COVID-19 from infecting new "pockets" of individuals

C. What other aspects or parts of your operation(s) are being shut down or are not functioning due to the COVID-19 restrictions? And, are you requesting any suspensions or waiver(s) from other government agencies? If so, from what agencies and for what requirements?
The site is currently adhering to the Holcim's Trigger Action Response Plant (TARP) level 4. Per this plan all third party vendors, with the exception of those deemed necessary to prevent the immediate shutdown of operations, are not permitted onto the site. Holcim has provided for remote work stations for all employees whom can work remotely and, all capital projects have been suspended until further notice to further reduce the number of outside contractors at the site.

D. What alternate compliance options have you explored to address the issues or environmental compliance hurdles with which you are confronted?
Holcim would propose to contiuue demonstrating compliance with the NESHAP PM Standards by adherence to the existing establishe SSOL. The facility is currently complying with its existing SSOL; however, the need to retest per PC NESHAP was triggered by a singular event that caused the 30-day rolling average to exceed the SSOL. Once corrective actions were taken to the singular event, all indications are that Kiin 2 is continuing to meet the PC NESHAP PM emission limit.

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

<p>E. Do you believe cost gouging or supply hoarding is negatively effecting your ability to comply? If so, please explain and provide cost information and/or availability information from your supply chain history. No</p>
<p>F. How long do you expect to be unable to comply with the regulatory requirement(s), permit condition(s) or other requirement and identify what circumstances must exist for you to return to compliance. Specify the period of time for which you are requesting the suspension. Suspensions will not be issued initially beyond June 30, 2020. Holcim is requesting a 60 day extension to complete the needed testing. At this time, Governor Wolf has advised a strict social distancing and stay-at-home order for Lehigh Co. until April 30, 2020. Holcim would then request an additional 30 days to reschedule the stack testing.</p>
<p>G. If applicable, identify how you will account for all reporting obligations for the period of noncompliance. Continues monitoring with existing establishe SSOL will be continued until a new stack test and SSOL can be established.</p>

<p>Evaluate Risk to Public Health and the Environment</p>
<p>A. Will the temporary suspension, if granted, result in an increase in the risk of additional pollution (e.g. increased emissions, increased concentrations of any pollutant and/or releases of new or more pollutants) and/or will it result in less monitoring, reporting, and/or supervision of pollution incidents, accidents or equipment failures? No, the current SSOL will continue to be complied with until a new Stack Test and SSOL are able to be established. Requirement to conduct a stack test prior to the lifting of all social distancing and stay-at-home orders presents a greater and more immediate risk to local health.</p>
<p>(i) If yes, please identify what pollutants and the nature of the risk.</p>
<p>(ii) If yes, please identify the potential extent of increased pollution, including any increases in risk to human health, safety or the environment.</p>
<p>(iii) If no, explain how increased pollution will be avoided. Use of existing Continuos Monitoring Equipment and adherence to the established SSOL.</p>
<p>B. What public health and/or safety benefits will result if the temporary suspension is granted?</p>

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

In adherence to current state guidance, the practice of social distancing and stay-at-home orders will contribute to the prevention and/or reduction in the infection rates of COVID-19.

C. Is the restriction on your ability to comply generally applicable to others engaged in your industrial classification or industry? If no, please explain why your situation is unique.
Yes

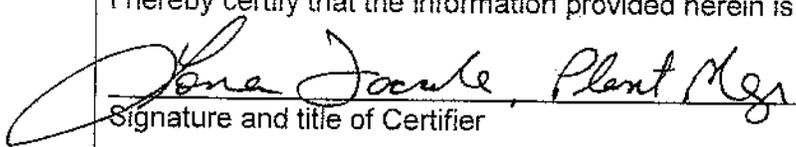
D. Would you possess a unique advantage over your competitors, or others in the same industry, if a suspension is granted?
No

E. What would be the negative consequences to your operation if the temporary suspension is not granted? What would be the negative consequences to the Commonwealth's response to the COVID-19 emergency if your requested temporary suspension is not granted?
Should an extension not be granted, Holcim would be required to invite third party contractors onto its site, as well as, require company staff that are currently working remotely to report to the facility. These actions are contrary to both internal and external (state and federal) prevention guidelines for strict social distancing and stay-at-home orders. In good faith, Holcim attempted to conduct the required test during this pandemic and had to abandon the test prior to starting due to an employee of the stack testing firm reporting off due to symptoms potentially associated with COVID-19. As indicated by this near miss, the practice of stack testing during the COVID-19 pandemic presents a significant increased risk of site personnel, contractor personnel, and their families of contracting the COVID-19 virus.

CERTIFICATION

Pursuant to the prohibition against unsworn falsification to authorities, 18 Pa.C.S.A. §4904, I am an authorized representative of the requestor and have personal knowledge of the facts set forth in this temporary suspension request.

I hereby certify that the information provided herein is true and accurate.


Signature and title of Certifier

Lorraine Faccenda, Plant Manager
Print Name and Title



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COVID-19-Emergency Request to Temporarily Suspend
Regulatory Requirements and/or Permit Conditions

Submit completed and signed requests to the email resource account:
RA-EPCOVID19SuspReq@pa.gov