

March 9, 2011

Ms. Eden,

Thank you for your email and your interest in the Cement Kiln Rule development process and the Title V permit.

Title V permits are compilations of applicable air quality standards and their associated compliance provisions. In the case of the draft Lehigh permit currently in comment period, the permit includes the new EPA regulations.

However, the upcoming District rule is not yet applicable, and therefore has no bearing in the current permit review. After the rule is adopted, the District will re-open the Title V permit to incorporate the new requirements related to this rule. The appropriate time for public involvement on whether the upcoming rule requirements are adequate or appropriate is during the rule development process (i.e., the workshop, the subsequent period for public comments, and the public hearing for consideration of adoption of the rule).

As we have indicated, we expect to have the rule workshop in the second quarter of 2011. This will be well after the end of the public comment period for the Title V permit renewal, which ends on March 25. That should give persons interested in participating in both the permit and rule development process plenty of time to do so without one getting in the way of the other.

At this point, there are no plans to modify the deadline for comments on the Title V permit.

Regards,

Jim Smith

Senior Public Information Officer
Bay Area Air Quality Management District
939 Ellis Street
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Ms. Eden,

The Air District Communications Office responded to your email on March 9. That response is attached.

For further questions please contact me at 415.749.4667.

Regards,

Ana Sandoval

ana sandoval

communications manager

bay area air quality management district

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From: Joyce M Eden [mailto:comment@sonic.net]

Sent: Monday, March 14, 2011 10:21 AM

To: Jack Broadbent; Thu Bui

Subject: Lehigh Title V deadline & workshop on new epa mercury rule

To Jack Broadbent and Thu Bui, cc Brian Bateman: We sent this letter to baaqmd on February 24, 2011 regarding the Lehigh Southwest Title V comment deadline. We have not received any response to these concerns. Please respond to this concern and request by return email.

Thank You,

Joyce M Eden for West Valley Citizens Air Watch

Begin forwarded message:

From: Joyce M Eden <comment@sonic.net>

Date: February 24, 2011 8:07:24 AM PST

To: Jim Smith <JSmith@baaqmd.gov>

Cc: Ana Sandoval <ASandoval@baaqmd.gov>, Lisa Fasano <LFASANO@baaqmd.gov>, Kristina Chu <kchu@baaqmd.gov>, Sonam Shah <sshah@baaqmd.gov>

Subject: Re: Stationary Source Committee Meeting

Hi Jim: I see that a workshop , 2nd quarter, 2011, and a public hearing, 3rd quarter, 2011, are listed below for Cement kilns (SSM-9), New Rule (as well as noted for the March 3, 2011, Stationary Source Cttee, although the workshop does not appear on the agenda). As per our discussion, you have informed me that the workshop is not on the stationary source cttee agenda of March 3, 2011,, and the workshop and public hearing for the new cement kiln rule have not been scheduled.

I would like you and those copied on this list to know that the baaqmd has set the due date for the draft Title V Air Permit public comments on the Lehigh Southwest cement plant and kiln and operation per Title V of March 25, 2011.

Since there is to be a workshop in the 2nd quarter and a public hearing in the 3rd quarter (although not yet specifically scheduled) on the cement kiln rule, and since Brian Bateman of the baaqmd has told us that the Lehigh Cement Kiln Title V draft permit will contain the new cement plant/kiln EPA rules, we should certainly have the opportunity to attend a workshop on this rule before the Title V comments are due. That obviously would also go for the right to public hearing on the new cement kiln rules.

In addition, it would be completely inappropriate to now schedule a workshop or a public hearing before the Title V comments are due, as that is a large, technical document and the public would not have the time to both go to the workshop and the public hearing on the cement kiln rule, which is an important component of the draft Title V Permit, before the Title V public comment due date of March 25.

Therefore, I ask that the Title V permit deadline be extended in order for both the cement kiln rule workshop and the cement kiln rule public hearing be scheduled with adequate advance notice to the public well before the draft Title V Lehigh Southwest Air Permit public comments are due to the baaqmd.

Please inform me of your actions regarding this request as soon as they are decided.

Thank you,

Joyce M Eden, for West Valley Citizens Air Watch, 408 973 1085

On Feb 25, 2011, at 12:58 AM, Jim Smith wrote:

Dear Environmental and Community Groups:

Below and attached is information on an upcoming meeting of the Air District's Stationary Source Committee that may be of interest to your organizations.

On March 3, 2011 at 9:30 AM the Stationary Source Committee will meet to hear staff presentations on three proposed draft regulations affecting small diesel engines used in agriculture, an upcoming rule on metal melting facilities and an upcoming regulation of cement kilns.

Below are the current expected timeframes for the proposed regulations.

New Rule: Metal Melting Operations (SSM-1)

Workshop: 1st Quarter, 2011;

Public Hearing: 2nd Quarter, 2011.

New Rule: Limited Use Stationary Compression Ignited (Diesel) Engines in Agricultural Use (Alternative to CARB ATCM)

Workshops: January 2011;

Public Hearing: April 2011.

<http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Rule-Workshops.aspx>

New Rule: Cement Kilns (SSM-9)

Workshop: 2nd Quarter, 2011;

Public Hearing: 3rd Quarter, 2011

The Stationary Source Committee meets in the fourth floor conference room at the Air District's offices at 939 Ellis Street.

Ana Sandoval

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