



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

California Environmental Quality Act

NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

LEAD AGENCY: Bay Area Air Quality Management District

Contact: Robert Cave

Phone: 415-749-5048

SUBJECT: NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION PURSUANT TO SECTION 21092 AND 21092.3 OF THE PUBLIC RESOURCES CODE AND CEQA GUIDELINES SECTION 15072

Project Title: Proposed Regulation 9, Rule 13: Nitrogen Oxides, Particulate Matter and Toxic Air Contaminants from Portland Cement Manufacturing.

Project Location: The rule and proposed amendments would apply within the Bay Area Air Quality Management District ("District"), which includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties. There is one affected facility in Santa Clara County.

Project Description: The District has regulatory authority over stationary sources of air pollution in the San Francisco Bay Area. The proposed rule will implement control measure SSM 9 of the Bay Area 2010 Clean Air Plan. Regulation 9, Rule 13 sets limits for emissions from cement manufacturing facilities. For emissions from cement manufacturing kilns, a limit of 2.3 lbs NOx per ton of cement clinker produced, averaged over 30 days, and 0.04 lbs particulate matter per ton of cement clinker produced, is proposed. The rule would require cement kilns to emit no more ammonia than 10 parts per million by volume, averaged over 24 hours, above a baseline established prior to operation of NOx control equipment. The rule would set limits consistent with the federal National Emissions Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry as proposed on June 22, 2012. These limits would affect emissions of dioxins and furans, mercury, hydrochloric acid, and either total hydrocarbons or total organic hazardous air pollutants. The rule would also set a 10% opacity (half as dark as Ringelmann 1) limit for all operations except kiln and clinker cooler emission points. The kiln and clinker cooler are subject to a 20% opacity (Ringelmann 1) limit as per Regulation 6, Rule 1 requirements. The rule would require that a Health Risk Assessment be conducted before constructing any stack from which cement kiln pollutants were emitted to show that the risk to the surrounding community would not exceed the notification threshold established under the Air Toxics "Hot Spots" Information and Assessment Act requirements set forth in California Health and Safety Code Section 44300 et al. These limits would become effective on September 9, 2013. Finally, the rule would contain a variety of operational requirements to reduce fugitive dust. The proposed rule also contains monitoring, testing, recordkeeping and reporting requirements.

Negative Declaration: A copy of the Negative Declaration, proposed rule amendments and supporting documents are available for review on the District's website at <http://www.baaqmd.gov/Divisions/Planning-and-Research/Rule-Development/Current-Regulatory-Public-Hearings.aspx> and at the District office at 939 Ellis Street, San Francisco.

Written comments on the Negative Declaration must be addressed to:

Robert Cave, Senior Air Quality Specialist
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California, 94109.

Comments also can be sent by fax to (415) 749-4741 or by e-mail to rcave@baaqmd.gov. Comments on the negative declaration will be received from Friday, July 20, 2012 until 5:00 pm on Friday, August 10, 2012.

Public Hearing: On Wednesday, September 19, 2012 at 9:45 a.m., the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider adoption of proposed Regulation 9, Rule 13: Nitrogen Oxides, Particulate Matter and Toxic Air Contaminants from Portland Cement Manufacturing and the adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA). The hearing will be held in the 7th floor Board Room of the District Office, 939 Ellis Street, San Francisco.