



# PUBLIC HEARING NOTICE

September 1, 2016

BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

TO: INTERESTED PARTIES  
FROM: EXECUTIVE OFFICER / APCO  
SUBJECT: **PUBLIC HEARING: PROPOSED AMMENDMENTS  
TO REGULATION 9, RULE 13: NITROGEN OXIDES,  
PARTICULATE MATTER, AND TOXIC AIR  
CONTAMINANTS FROM PORTLAND CEMENT  
MANUFACTURING**

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On **Wednesday, October 19, 2016**, the Board of Directors of the Bay Area Air Quality Management District will conduct a public hearing to consider proposed amendments to Regulation 9: Inorganic Pollutants, Rule 13: Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing, and the adoption of a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA). The hearing will be held in the first floor Board Room, 375 Beale Street, San Francisco. District Board meetings commence at 9:45 a.m.

The proposed amendments to Regulation 9, Rule 13 will address technical issues with the ammonia standard contained in the rule. Regulation 9, Rule 13 contains an ammonia emissions limit to prevent excess emissions from control equipment installed to meet the NOx standard in the rule. The Lehigh facility in Cupertino has a selective non-catalytic reduction (SNCR) system which injects an ammonium hydroxide solution (ammonium) to reduce NOx and the rule's ammonia standard prevents excess emissions above background levels in the exhaust stream of the cement kiln. The averaging period for the ammonia standard in the current rule is of insufficient duration to account for the variable background ammonia in the exhaust stream caused by the inherent variability of nitrate content in the limestone feedstock used to make cement. Additionally, the regulated procedure for determining background ammonia levels is similarly problematic. Until this technical issue is resolved, the requirements of Regulation 9-13 cannot become federally enforceable through incorporation in the Title V permit for the facility.

Pursuant to the California Environmental Quality Act (CEQA), the Air District has concluded that the proposed amendments to Regulation 9-13 are exempt under CEQA guidelines Section 15301, Class 1. The rule amendment would involve negligible or no expansion of an existing use. The proposed change to the averaging period will merely effectuate the original intent of the rule. Actual emissions will not increase. Likewise,

changing the baseline methodology will not affect emissions. Air District Staff will file a Notice of Exemption with the County Clerk after adoption by the Board of Directors.

A Public Hearing Notice, Staff Report, and Proposed Amended Rule will be available on the District's web site at [www.baaqmd.gov/rulehearings](http://www.baaqmd.gov/rulehearings), or by request, at least 30 days before the public hearing. Questions, comments, or requests for copies of the proposed amended rule should be directed to Robert Cave at (415) 749-5048, or via e-mail to [rcave@baaqmd.gov](mailto:rcave@baaqmd.gov). Written comments on the proposed revisions will be accepted from **Thursday, September 1, 2016** until 5:00 p.m. on **Friday, September 30, 2016**.