

To: Bay Area Air Quality Management District (BAAQMD)

Date: 1-3-2012

Subject: Comments on proposed regulation for NOx, SO2 and PM.

Yesterday, the Bay Area Air Quality Management District (“BAAQMD” or “District”) issued another “Spare the Air” Day for San Francisco Bay Area residents. BAAQMD is not meeting federal and state ozone and particulate standards, for which the District is currently in a non-attainment status. This means the air in the Bay Area does not meet current health standards for ozone and particulate matter.

Lehigh Southwest Cement Plant (Lehigh) is the largest stationary contributor of nitrogen oxides (NOx, a precursor of ozone and secondary fine particulate matter) in the Bay Area. BAAQMD should be requiring Lehigh to use the best pollution control technology available to reduce NOx. This can be done using selective catalytic reduction (SCR) or selective non-catalytic reduction (SNCR) technology. BAAQMD should also be requiring Lehigh to install scrubbers to reduce sulfur dioxide (SO2) emissions, and the best fabric filters to reduce particulate matter emissions.

I am very disappointed that BAAQMD is not requiring any of these control technologies on the current proposed Regulation 9, Rule 13: *Nitrogen Oxides, Particulate Matter, and Toxic Air Contaminants from Portland Cement Manufacturing* (“Regulation 9-13” or “the rule”).

BAAQMD’s proposed limits are less stringent than the federal new source performance standards (“NSPS”) limits for cement plants that EPA has determined are cost-effective -- even for existing facilities. The federal NSPS limits apply to both new and “modified” cement plants.

Regardless of whether Lehigh has “modified” its cement plant, there is nothing about the economics of an existing modified plant that distinguishes it from an existing unmodified plant. The important point is that an existing cement plant, modified or unmodified, is physically and financially capable of meeting the federal NSPS limits.

Here is a comparison between BAAQMD’s proposed emission limits, and the federal NSPS emission limits:

Pollutant Emission Limits,:	BAAQMD Proposes	Federal Cement NSPS
Oxides of Nitrogen (NOx)	2.3 lb/ton of clinker(toc)	1.5 lb/toc
Sulfur Dioxide (SO2)	No new limit	0.4 lb/toc
Particulate Matter (PM)	0.04lb/toc	0.01 lb/toc

For NOx, BAAQMD proposed limit is 153% that of the federal NSPS. For PM, BAAQMD proposed limit is 400% that of the federal NSPS. For SO<sub>2</sub>, BAAQMD proposes no new limit, which means the old limit stays. On page 17 of BAAQMD proposes Regulation 9, Rule 13 stated:

**“Sulfur Dioxide**

On June 2, 2010, EPA established a new one-hour SO<sub>2</sub> ambient air quality standard which became effective on August 23, 2010. The new national standard, 0.075 ppmv, is considerably more stringent than the existing California ambient air quality standard, 0.25 ppmv.”

BAAQMD should have established a cement plant limit for SO<sub>2</sub> that requires scrubbers to protect against violations of the PM ambient standard (SO<sub>2</sub> is a secondary source of PM) and EPA’s new one-hour SO<sub>2</sub> ambient air quality standard which became effective on August 23, 2010.

Here is the Federal regulations:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=89b4beealed85cac063f598d91e24c7f;rgn=div6;view=text;node=40%3A6.0.1.1.1.17;idno=40;cc=ecfr>

The current BAAQMD proposal is not as strict as the federal NSPS limits and do not require cost-effective emission reductions to achieve attainment of ozone and PM ambient standards in a timely way. We are simply asking BAAQMD to at least follow the EPA regulations and its own vision: “A healthy breathing environment for every Bay Area resident.”

Thank you very much for your attention.

Sincerely,

Barry Chang, President

Bay Area for Clean Environment, Inc. –

a non profit, public charity, IRS 501c3 Tax Exempt grass root organization

