

# **ATTACHMENT 1**



Eric Cassano  
<ecassano@shastalake.com

To KnaufPermit@EPA

cc

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bcc

Subject Knauf Insulation PSD Air Quality Permit

History: This message has been replied to

Date: March 27, 2006

To: Shaheerah Kelly  
Air Division (AIR-3)  
U.S. EPA, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105-3901

From: Eric A. Cassano  
4512 Boca St.  
Shasta Lake, CA 96019  
(530) 275-1296  
ecassano@shastalake.com

Subject: Comments on the proposal to revise the  
Knauf Insulation PSD Air Quality Permit (5 pages)

Knauf has been in violation of their original PSD air permit since November 22, 2002. That's 1,221 days that Knauf has ignored their air permit and broke the federal pollution laws. It's been 3 years, 4 months and 5 days that the EPA has allowed this company to spew illegal pollution into our air. And now what does the EPA want to do? -- They want to give Knauf an even larger permit to pollute even more.

This insane plan makes a total mockery of the EPA's mission statement. I found a copy of the mission statement on the EPA website. The officials at EPA Region 9 should really take a moment to read it. After they read it, they may get inspired to actually fulfill it.

The mission of the Environmental Protection Agency is to protect human health and the environment. Since 1970, EPA has been working for a cleaner, healthier environment for the American people.

The EPA needs to spend less time writing new permits and more time enforcing the permits they've already issued. If the EPA won't enforce the pollution laws that Knauf is currently violating it has absolutely no business granting Knauf a new permit with even higher pollution limits.

The EPA needs to start protecting our environment instead of sheltering Knauf from the pollution laws. The EPA should be out at the industrial park right now shutting down this arrogant polluter and padlocking their doors instead of running a blatant pro-Knauf campaign for a new permit.

Despite numerous complaints from community members, the EPA has refused to protect our environment and enforce Knauf's original permit. The EPA should be ashamed and embarrassed to be involved in this fiasco. The EPA has been making all kinds of excuses on Knauf's behalf attempting

U. S. EPA Region 9  
Knauf Insulation  
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to explain why Knauf's actual NOx emissions ended up being 226% of what their original permit allowed. I suspect that Knauf knew all along that their NOx emissions would be well above their permit but submitted a lower figure so they could get a foot in the door.

On Sunday, February 2, 2003, Knauf ran a full page newspaper advertisement admitting to their NOx violation but attempted to cover up their particulate matter (PM10) violation with this incorrect statement: "With the exception of NOx, we have significantly beaten all permitted levels." This is simply not true. The test results plainly show that Knauf is violating their permit limit for particulate matter.

Ironically, in the same full page advertisement, Knauf accused "some people" in the public of making "misleading claims about our performance." The advertisement goes on to say, "It seems that some people are willing to say just about anything to justify their actions, including stretching or even ignoring the truth." Here we have an illegal polluter attacking the public's credibility. Absolutely amazing.

I should mention that Knauf did receive a Notice of Violation from the EPA in October of 2004 but nothing has been done to make them comply with their permit. The Notice of Violation was signed by EPA Region 9 Air Director Deborah Jordan. Recently I've made several attempts to contact Deborah Jordan about the Notice of Violation but she refuses to talk to me. The EPA's public affairs department also refuses to return my phone calls.

The only person who's ever shown any interest in Knauf's ongoing violation was EPA Special Agent in Charge Scott West. He actually went out to the factory and took a look at it. I also gave Mr. West a large amount of information about the Knauf violations which included press clippings, test data and Knauf's full page newspaper advertisement which admitted that the NOx emissions at their Shasta Lake factory exceeded the permitted level.

At one point, while talking on his cell phone, Mr. West even described me as a possible witness in an air case. I recently called the EPA to check up on the case and learned that Mr. West had transferred out of EPA Region 9 to another region. None of the other investigators would give me any information on the status of the case. It was like the whole matter had completely disappeared.

After reading the proposed PSD permit I began to wonder if it had been written by Knauf's management or a paid consultant. I find it odd that Deborah Jordan's name is spelled wrong on the cover of the permit. You would think that the EPA person who drafted the permit would know how to spell the name of the Region 9 Air Director. Of course, if I were Deborah Jordan I wouldn't want my real name on this piece of rubbish either. I also noticed that Knauf's address is wrong on both the PSD permit and the Ambient Air Quality Impact Report. The jokers who wrote these documents don't even know where the factory is located let alone how Knauf's pollution will affect the surrounding area.

There are several problems with the permit and the air report. Here are two paragraphs that really caught my eye.

Performance tests shall be performed by an independent testing firm. Performance tests shall be at least performed at or greater than 95 percent of the maximum operating capacity of 225 tons of molten glass produced in any rolling 24-hour period. The Permittee shall furnish EPA with a written report of the results of such tests within thirty

(30) days after the performance tests are conducted.

Upon prior written request and adequate justification from the Permittee, EPA may waive the annual test and/or allow for testing to be done at less than 95 percent of the maximum operating capacity of 225 tons of molten glass produced in any rolling 24-hour period. EPA approval shall be in writing. Such request must be submitted to EPA no later than 60 days prior to the annual test date.

Who's idea was it to give Knauf the options of testing at less than maximum operating capacity or simply eliminate testing completely? Did the EPA think that nobody was going to read their proposed permit? Did Knauf's lawyers and consultants write this thing? The testing is intended to ensure that Knauf is complying with their permit. The inclusion of these ridiculous loopholes makes the permit useless as a way to regulate Knauf's pollution.

The EPA is using their "AMBIENT AIR QUALITY IMPACT REPORT" to justify giving Knauf a new permit. This report could have easily been written by Knauf's public relations department. Here's the way the report describes Knauf's violation of their original PSD permit.

Knauf's emissions tests demonstrated that the original permit limits for NOx were not appropriate. (From page 9 of the AMBIENT AIR QUALITY IMPACT REPORT)

Not appropriate? In my opinion, the report should actually read...

Knauf's emissions tests demonstrate that the company is in violation of their original permit limits for NOx and particulate matter but has been allowed to pollute illegally for over three years with no enforcement by the EPA.

How can the EPA simply ignore this company's violations of the law by saying the permit limits were "not appropriate?"

For several years EPA has been making excuses for Knauf's violations claiming that an "engineering error" led to a miscalculation of the NOx emissions. The identity of this numerically-challenged engineer has never been revealed despite numerous requests to EPA officials. Now the EPA has changed their defense of Knauf's lawbreaking by simply stating that the "limits for NOx were not appropriate."

I was told by an EPA technical expert that the ambient NOx levels used in the air report's computer modeling were measured in the town of Bella Vista, California back in the year 2000. How can this computer modeling possibly be accurate considering that the data was collected at least 5 years ago? The town of Bella Vista is close to 9 miles east of Knauf's factory and approximately 320 feet lower in elevation. An air analysis that uses data measured in Bella Vista can not possibly be accurate and should not be used by the EPA to support giving Knauf higher pollution limits. This kind of nonsense wouldn't even be acceptable in an 8th grade science class. The EPA needs to do a real air study with good local data instead of just plugging in some Knauf-friendly numbers. This is exactly what they mean by "garbage in, garbage out."

When Knauf's NOx violations were first announced by Shasta County officials the public was told that Knauf was causing \$2000 a day of environmental impact. If this is true, how can the EPA justify raising Knauf's permit limits beyond a level that has already caused impact to

the environment?

The EPA needs to take the public comment process seriously. At the end of the Ambient Air Quality Impact Report I found a paragraph suggesting that the permit would be issued despite any new information brought forth during the public comment period. I believe it was deliberately written this way to discourage public comment.

#### XIV. CONCLUSION & PROPOSED ACTION

Based on the information supplied by Knauf and the analyses conducted by EPA, it is the preliminary determination of EPA that the proposed modification will not interfere with the attainment or maintenance of any applicable PSD increment or NAAQS, and meets all of the requirements of 40 CFR ' 52.21. Therefore, EPA proposes to issue the PSD permit after soliciting public comment and conducting a public hearing. (From page 37 of the AMBIENT AIR QUALITY IMPACT REPORT)

The enforcement authorities at EPA Region 9 need to get in gear and start doing their jobs. Knauf needs to be held to their original permit limits and forced to comply with the law even if it means shutting the place down until they do. The EPA also needs to send Knauf another Notice of Violation for their particulate matter (PM10) violations occurring at their furnace stack. Now is the time to rein in this arrogant polluter before the EPA's credibility sinks any lower.

Knauf also needs to receive a fine from the EPA for the environmental impact they have caused to Shasta County. It was reported in the newspaper that the local air quality district had determined Knauf was causing \$2000 a day in environmental impact. Since Knauf has been polluting illegally since November 22, 2002, the total fine on March 27, 2006 would be about \$2,442,000.

A company that has polluted illegally for well over three years can not be allowed to avoid punishment for their actions and continue unchecked. Knauf must be forced to comply with their original permit and punished properly according to the law.

Knauf's request for a new permit must be denied.

Eric A. Cassano  
4512 Boca St.  
Shasta Lake, CA 96019  
(530) 275-1296  
ecassano@shastalake.com

Note: A copy of these comments has also been faxed to EPA Region 9 at (415) 947-3579