

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

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2013 APR -3 PM 2: 53

ENVIR. APPEALS BOARD

In re: Sierra Pacific Industries  
Permit No. SAC 12-01  
Respondent: EPA Region 9

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**Motion to provide supplemental documentation by petitioner Heidi Strand**

Included are two documents that are vital to the petitions by Citizens for Clean Air.  
I am waiting to receive the complete comment documents requested from Region 9, EPA by  
my Freedom of Information act.



Sincerely,  
Heidi Strand  
hswriter@frontiernet.net  
(530)472-1355



# Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT  
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP  
Director

March 8, 2013

Heide Strand  
P.O. Box 172  
Whitmore, CA 96096

Dear Ms. Strand:

## **Response to Air Pollution Control Board Comments Regarding Sierra Pacific Industries, Anderson Division**

This letter is in response to your February 28, 2013 letter addressed to the Shasta County Air Pollution Control Board regarding the compliance status of Sierra Pacific Industries Anderson Division. It appears that your comments are in regards to the proposed renewal of an existing Title V Permit #94-TV-18 which regulates operation of the existing cogeneration plant. The initial Title V Permit was issued in 2000 under the authority of Title V of the Federal Clean Air Act Amendments of 1990. This proposed action is for the second renewal of this Title V Permit.

Your first comment reads as follows:

*Sierra Pacific Industries in Anderson has been in "significant non-compliance" since at least April of 2009.*

You indicate that Sierra Pacific Industries has been in a state of significant non-compliance since at least April of 2009, and you have also provided an attachment in your letter which originates from a website that is linked to the Environmental Protection Agencies' Enforcement and Compliance History Online (ECHO) website. The District has reviewed the ECHO website and takes note that EPA found SPI, Anderson in violation based on Title V Compliance Certification review. Here is a brief explanation of the Title V Compliance Certification process:

Title V requires that all permitted sources submit a compliance certification document every six months, indicating the compliance status of each Title V Permit condition. This report also requires the source to identify any periods of operation known as deviations, where the facility exceeded an emission limit or operating requirement due to equipment breakdown, malfunction of monitoring equipment, emergency breakdowns or other scenarios that are beyond the operators' reasonable control. Once a deviation is reported to the EPA via an excess emission

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report it gets entered into the ECHO compliance report as a non-compliance event whether or not an emission violation has occurred. A recent review of compliance certification documents for the last five years indicates that all deviations qualify as non-violations per District Rule 3:10, Excess Emissions.

Comment #2:

*They are currently in "serious violation" of compliance with their air pollution permit (PSD).*

The District does not have PSD permit authority. PSD permits are currently managed by EPA Region IX. Recent conversations with EPA Region IX staff do not indicate that SPI Anderson is in "serious violation" with its PSD Permit. For further information on the PSD Permit, contact:

USEPA Region IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Comment #3:

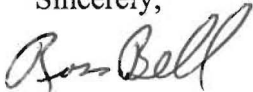
*Sierra Pacific has been in serious violation of their existing permit for the entire five years, and the APO wants to renew it with NO changes. Best Available Retrofit Technology must be installed and tested until Sierra Pacific's emissions are in compliance before the permit is renewed.*

Your reference to Best Available Retrofit Technology (BART) is most likely referring to 40 CFR Section 51.308(e), which requires BART for air pollution sources which may reasonably be anticipated to cause or contribute to any impairment of visibility in any Class I Federal area. BART requirements are intended to reduce emissions specifically from large sources that, due to age, were exempted from new source performance standards (NSPS) requirements of the Clean Air Act. Sierra Pacific Anderson Division cogeneration plant was permitted in 1994 and was subject to NSPS requirements under 40 CFR, Subparts A, and Db. As a result, a Best Available Control Technology (BACT) analysis was completed and is currently being utilized to control emissions from the cogeneration plant.

The District maintains an extensive file of inspection reports, emission evaluations, stack test results and enforcement records as well as the initial application and permitting documents which date back to the initial permitting of the facility in 1994. These documents, which demonstrate that this facility is compliant with District rules, are public records and may be examined by members of the public.

Please feel free to contact me at (530) 225-5674 if you have any questions or would like to schedule time to review the files pertaining to this facility.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ross Bell".

Ross Bell

Air Quality District Manager

C: Shasta County Air Pollution Control Board

# Sierra Pacific Industries Anderson Div - Anderson, CA - EPA Regulated Facility

## KEY FACTS

Sierra Pacific Industries Anderson Div located in Anderson, CA is an EPA regulated site with a current compliance status of Serious Violation(s). The facility has a population of 518 within a 3 mile radius, of which 15% are minorities.

The site's last inspection took place 294 days ago.

**Name** **Sierra Pacific Industries Anderson Div**

**Address** **19794 Riverside Avenue  
Anderson, California 96007**

**County** **Shasta**

**Population within 3 Mile Radius** **518**

**Minorities within 3 Mile Radius** **15%**

**Days Since Last Inspection** **294**

### Compliance Status from 04/09-05/12

- Q1: Significant Non-compliance
- Q2: Significant Non-compliance
- Q3: Significant Non-compliance
- Q4: Significant Non-compliance
- Q5: Significant Non-compliance
- Q6: Significant Non-compliance
- Q7: Significant Non-compliance
- Q8: Significant Non-compliance
- Q9: Significant Non-compliance
- Q10: Significant Non-compliance
- Q11: Significant Non-compliance
- Q12: Significant Non-compliance

**Current Compliance Status** **Serious Violation(s)**

**Major** **Yes**

## RESOURCE CONSERVATION AND RECOVERY ACT

**Permit Type** **Small Quantity Generator**

**NAICS Codes** **321212**

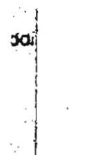
**SIC Codes** **2436**

**Current Compliance Status** **No Violations**

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