

December 4, 2014



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY

Tom Bates
Margaret Fujioka
Scott Haggerty
Nate Miley
(Chair)

CONTRA COSTA COUNTY

John Gioia
David Hudson
Mary Piepho
Mark Ross

MARIN COUNTY

Susan Adams

NAPA COUNTY

Brad Wagenknecht

SAN FRANCISCO COUNTY

John Avalos
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Eric Mar
(Secretary)

SAN MATEO COUNTY

Carole Groom
(Vice-Chair)
Carol Klatt

SANTA CLARA COUNTY

Cindy Chavez
Ash Kalra
Liz Kniss
Jan Pepper

SOLANO COUNTY

James Sperring

SONOMA COUNTY

Teresa Barrett
Shirlee Zane

Ms. Deborah Jordan
Director, Air Division
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Dear Ms. Jordan:

This is to advise you that the Bay Area Air Quality Management District is cancelling the initial Major Facility Review permit and re-issuing the synthetic minor operating permit for the following facility.

Facility	Facility Name	Application	Permit Engineer	City	County
A6044	OLS Energy-Agnews, Inc.	24392	D. Jang	San Jose	Santa Clara

Because of the June 23, 2014 Supreme Court ruling stating that the EPA cannot consider a facility to be "major" and therefore subject to Title V permitting requirements based solely on its potential to emit greenhouse gases, we are canceling the initial Title V permit for this facility that was issued on January 27, 2014.

Prior to the issuance of the initial Title V permit, OLS Energy-Agnews was operating under a synthetic minor operating permit (SMOP) that limited its potential to emit carbon monoxide to 95 tons per year. Because this requirement still applies, we are re-issuing the SMOP. A copy of the SMOP condition is enclosed.

The cancellation of the Major Facility Review (Title V) permit and re-issuance of the synthetic minor operating permit is effective as of the date of this letter. We are also notifying the California Air Resources Board of these permit actions.

We will also send the SMOP condition to you via the Electronic Permit Submittal System. If you have any questions regarding this permit, please call Dennis Jang, Senior Air Quality Engineer, at (415) 749-4707.

Sincerely yours,

Signed by Jim Karas, P.E.

Jim Karas, P.E.
Director of Engineering

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Spare the Air