

TITLE V RENEWAL PUBLIC COMMENTS AND AQMD RESPONSES
Quemetco, Inc., Proposed Draft Permit Dated November 18, 2005

Comments and responses regarding Quemetco's Title V permit renewal are found on the following pages, divided into several sections. Each section identifies the source, mode and dates in which the comments were received. In many instances, comments received from different sources were similar or identical. In these instances, such comments are answered in only one of the following sections. In other instances, related comments were combined into one comment and again are answered in one section only. All references cited can be found in Appendix B immediately after the finish of the comments and responses.

Section A

Comments from Quemetco in letter dated 4/22/2005 (ref. 9)

Comment or Item	Response
<p>A1</p> <p>In addition to processing the renewal, the District also proposes substantively to revise the Title V permit in a manner which was neither anticipated nor sought by Quemetco.</p>	<p>Several permitting processes have converged at the same time. Permit modifications to the equipment at this facility which are now completed but which have not been issued final Permits to Operate have to be addressed as part of the Title V process. The AQMD is updating permits in order to ensure compliance with permit limitations which are now being integrated (coincidentally) with the Title V permit renewal process.</p>
<p>A2</p> <p>Quemetco's objects to the...proposed C1.7 because (a) the new condition is a substantive change....(See, Cal Health & Safety Code § 42301.12); and (b) the factor "F = 1.429" is based on inadequate throughput data.</p>	<p>The AQMD's actions are consistent with the cited H&S code which states that:</p> <p>"To the extent feasible, minimize the burden of federally mandated paperwork such as recordkeeping and reporting documents."</p> <p>It should be noted that the conditions relating to the 1.429 factor may be modified or removed entirely if the direct feed weighing system proposed by Quemetco is approved.</p> <p>This specific permit condition, and all other associated conditions, are not being added as</p>

Comment or Item	Response
	<p>part of Title V permit renewal (A/N 436956). They are being added as part of the continuing evaluation process for an application under A/N 388372, for which the Permit to Construct was issued on 12/7/2001, for an alteration to the rotary dryer kiln and its preceding applications, which were cancelled following the AQMD's standard procedure as a new permit was issued. Even though Quemetco did not specifically request this particular condition, it is being added because during the course of the source tests in 2003, which were used in conjunction with the processing of this application, it was discovered that the method Quemetco was using for feed material limit compliance needed to be adjusted. The AQMD is updating the permit to ensure compliance with all applicable rules and regulations.</p>
<p>A3</p> <p>Since 1997, for purpose of determining compliance with the 1.2×10^6 lbs/day throughput restriction, Quemetco has utilized, and the District has accepted, a "Production-Back mass balance calculation method. This method was developed and submitted to the agency in 1996. The data upon which the Production-Back analysis was based were obtained during a series of source tests, performed by Quemetco in 1994 and 1996.</p>	<p>A production-back mass balance calculation method is conceptually acceptable. However, the AQMD's recent analysis using data collected during the 2003 source tests shows that the method submitted by Quemetco in 1996 could not accurately determine the throughput as further explained in comments A4 thru A10 below. Therefore, the 1996 analysis by Quemetco is not acceptable.</p>
<p>A4</p> <p>In an August 8, 1996, letter to the District, Mr. Carleton carefully discussed the methodology...Quemetco believes that the conclusion of Mr. Carleton's studies were, and continue to be, valid based upon the following factors:</p> <p>All sampling and analysis was performed according to plans and protocols pre-approved by the District;</p> <p>The sample sizes (number of "charges") were large enough to overcome random variation due to non-homogeneous feed composition;</p>	<p>The AQMD's analysis also made use of acceptable testing methods and protocols.</p> <p>The AQMD believes that the time intervals used for its analysis were within acceptable limits. This is explained in more detail in the response to comment A7 below.</p> <p>A statistical screening, by itself, is insufficient for a given purpose, if the calculation procedure used to arrive at a conclusion is invalid. Records submitted by Quemetco indicate that the amount of slag material produced is calculated by taking the difference</p>

Comment or Item	Response
<p>The test "runs (production days) were of sufficient duration to overcome random variation due to feed and production rates; the data set was subjected to statistical screening;</p>	<p>between the amount of material charged and the amount of lead bullion produced. This procedure is incorrect because the loss of volatile feed components is not considered and is assumed to be zero.</p>
<p>A5 ...it is improper for the District, on its own, to insert a completely new measurement approach, one not even found in any rule or regulation of the District or otherwise.</p>	<p>On the contrary, and based on Rule 204, the AQMD routinely uses permit condition language to ensure compliance with applicable rules through the use of "surrogate" conditions. In fact, most permit conditions on permits do not contain language which is directly contained in any one rule or regulation.</p>
<p>A6 It is highly likely that if the 1.429 factor were to become part of the final Title V permit, it would substantially reduce the amount of material Quemetco is currently permitted to introduce into the furnace.</p>	<p>The goal of adjusting the method used to determine process weight was to arrive at the most accurate and enforceable approach, regardless of whether it resulted in Quemetco's process weight throughput being reduced or even increased.</p>
<p>A7 The District looked at considerably less throughput data (i.e., shorter duration) during the source testing efforts that took place in 2003 than was utilized by Carleton Engineers in 1994 and 1996....District used a total of 9.8 hours in May of 2003...a total of 12.7 hours in June of 2003...and a total of 30.5 hours in July of 2003...This equates to 4.4 hours of data collection per test day for the feed rate determination with a maximum test duration of 370 minutes (6.17 hours)....in 1994 and 1996...118 hours during 11 days of source testing...10.7 hours per day of data collection for feed determinations.</p>	<p>Quemetco states that the AQMD used a total of: $9.8+12.7+30.5 = 53$ hours of data in from 12 days of testing in 2003 (ref. 3). Quemetco then states that they used 118 hours of data and 11 days of testing. Quemetco claims better statistical advantage based on these sample sizes. In a subsequent document (ref 5), Quemetco appears to imply, by its presentation in a table entitled "Quemetco Material Balance Data" that the District used only 6.67 hours of data in their analysis. In reality, the District used data equivalent to 53 hours of testing, 12 days of testing, and 397 bucket charges. This yielded a directly measured factor equal to 1.3249. A further analysis looking at the 24-hour furnace logs for each testing day studied, resulted in a slight adjustment to this factor based on 12 test days over two months with a final value of 1.429. This is only a variation of 7.5%.</p>

Comment or Item	Response																								
	It is the AQMD's position that the 2003 data set is sufficiently representative of Quemetco's operation.																								
<p>A8</p> <p>We believe the District's reliance on throughput data which was gathered over a much shorter time frame than performance tests used by Carleton makes the District's 1.429 factor less reliable than the methodology used by Quemetco presently.</p>	<p>As indicated previously, the AQMD does not see a significant statistical advantage or disadvantage with regards to the size of each data sample. However, the AQMD is concerned that Quemetco continues to insist that the present method is valid. It is clear that the ratio of wet feed in to dry product out is greater than 1:1 used in the present method. In fact, even Quemetco, upon revisiting this issue concludes below, in direct contradiction to previous claims, that the correct factor is believed to be between 1.14 and 1.24.</p>																								
<p>A9</p> <p>Based on information in the technical literature...Quemetco believes that the applicable factor for correlating total lead production from the reverberatory furnace and electric slag furnace with total feed to the rotary furnace can range from 1.14 to 1.24...Quemetco has determined that the applicable factor is 1.14 if only test days having a duration of eight hours or greater are considered. If all test days when the charge was measured are considered which includes test days of three to six hours duration, the resulting factor is 1.16.</p>	<p>Quemetco's low factors with values of 1.14 to 1.16 appear to be derived from a table provided by Quemetco during a 2005 meeting with AQMD Staff (ref. 5)</p> <p>The results presented in this table indicated that the average total lead to feed charged ratio was approximately 1.16:1. The AQMD disagrees with these results based on the following observations regarding the data presented in the table:</p> <p>1. This submitted table contained, among other things, the following data:</p> <table border="1" data-bbox="925 1407 1396 1875"> <thead> <tr> <th data-bbox="925 1449 1055 1480">Date</th> <th data-bbox="1185 1407 1396 1480">Bucket Density (lb)</th> </tr> </thead> <tbody> <tr><td data-bbox="925 1480 1055 1512">4/19/1994</td><td data-bbox="1250 1480 1315 1512">7800</td></tr> <tr><td data-bbox="925 1512 1055 1543">4/20/1994</td><td data-bbox="1250 1512 1315 1543">7464</td></tr> <tr><td data-bbox="925 1543 1055 1575">4/21/1994</td><td data-bbox="1250 1543 1315 1575">8290</td></tr> <tr><td data-bbox="925 1575 1055 1606">4/22/1994</td><td data-bbox="1250 1575 1315 1606">9080</td></tr> <tr><td data-bbox="925 1606 1055 1638">4/25/1994</td><td data-bbox="1250 1606 1315 1638">8124</td></tr> <tr><td data-bbox="925 1638 1055 1669">4/26/1994</td><td data-bbox="1250 1638 1315 1669">7752</td></tr> <tr><td data-bbox="925 1669 1055 1701">4/27/1994</td><td data-bbox="1250 1669 1315 1701">8100</td></tr> <tr><td data-bbox="925 1701 1055 1732">4/28/1994</td><td data-bbox="1250 1701 1315 1732">7689</td></tr> <tr><td data-bbox="925 1732 1055 1764">5/6/1994</td><td data-bbox="1250 1732 1315 1764">8088</td></tr> <tr><td data-bbox="925 1764 1055 1795">5/22/2003</td><td data-bbox="1250 1764 1315 1795">7867</td></tr> <tr><td data-bbox="925 1795 1055 1827">5/23/2003</td><td data-bbox="1250 1795 1315 1827">7890</td></tr> </tbody> </table>	Date	Bucket Density (lb)	4/19/1994	7800	4/20/1994	7464	4/21/1994	8290	4/22/1994	9080	4/25/1994	8124	4/26/1994	7752	4/27/1994	8100	4/28/1994	7689	5/6/1994	8088	5/22/2003	7867	5/23/2003	7890
Date	Bucket Density (lb)																								
4/19/1994	7800																								
4/20/1994	7464																								
4/21/1994	8290																								
4/22/1994	9080																								
4/25/1994	8124																								
4/26/1994	7752																								
4/27/1994	8100																								
4/28/1994	7689																								
5/6/1994	8088																								
5/22/2003	7867																								
5/23/2003	7890																								

Comment or Item	Response																																														
	<p>This data was inconsistent with the table submitted by Quemetco in 1996 (ref 1), which was Quemetco's original basis for a proposed process weight reporting method. The 1996 data contained the following information:</p> <table border="1" data-bbox="852 483 1380 1039"> <thead> <tr> <th data-bbox="852 598 998 630">Date</th> <th data-bbox="1015 493 1193 630">Bucket Density (lb) Feed Forward</th> <th data-bbox="1209 493 1380 630">Bucket Density (lb) Production Back</th> </tr> </thead> <tbody> <tr><td data-bbox="852 640 998 672">4/25/1994</td><td data-bbox="1015 640 1193 672">7656</td><td data-bbox="1209 640 1380 672">7574</td></tr> <tr><td data-bbox="852 672 998 703">4/26/1994</td><td data-bbox="1015 672 1193 703">7656</td><td data-bbox="1209 672 1380 703">7916</td></tr> <tr><td data-bbox="852 703 998 735">4/27/1994</td><td data-bbox="1015 703 1193 735">7656</td><td data-bbox="1209 703 1380 735">7256</td></tr> <tr><td data-bbox="852 735 998 766">4/28/1994</td><td data-bbox="1015 735 1193 766">7656</td><td data-bbox="1209 735 1380 766">7180</td></tr> <tr><td data-bbox="852 766 998 798">5/2/1994</td><td data-bbox="1015 766 1193 798">7656</td><td data-bbox="1209 766 1380 798">8058</td></tr> <tr><td data-bbox="852 798 998 829">5/5/1994</td><td data-bbox="1015 798 1193 829">7656</td><td data-bbox="1209 798 1380 829">8540</td></tr> <tr><td data-bbox="852 829 998 861">5/6/1994</td><td data-bbox="1015 829 1193 861">7656</td><td data-bbox="1209 829 1380 861">6763</td></tr> <tr><td data-bbox="852 861 998 892">3/28/1996</td><td data-bbox="1015 861 1193 892">6296</td><td data-bbox="1209 861 1380 892">6852</td></tr> <tr><td data-bbox="852 892 998 924">3/29/1996</td><td data-bbox="1015 892 1193 924">6296</td><td data-bbox="1209 892 1380 924">5995</td></tr> <tr><td data-bbox="852 924 998 955">4/25/1996</td><td data-bbox="1015 924 1193 955">6820</td><td data-bbox="1209 924 1380 955">6605</td></tr> <tr><td data-bbox="852 955 998 987">4/26/1996</td><td data-bbox="1015 955 1193 987">6820</td><td data-bbox="1209 955 1380 987">7307</td></tr> </tbody> </table> <p>The "Feed Forward" densities were <u>calibration values</u>. The product back numbers were calculated values. Apparently, three different calibration values were obtained and reported to the AQMD back in 1996. The set of dates has also been found to be inconsistent with the 1996 data set.</p> <p>2. Quemetco only indicated two bucket densities for 2003 in ref 5. In reality, <u>there were at total of six bucket density calibration values measured in 2003 which partially form the basis of the AQMD's factor</u>. Each of these values are supported by a separate weigh scale ticket submitted by Quemetco. These values are as follows:</p> <table border="1" data-bbox="852 1659 1380 1879"> <thead> <tr> <th data-bbox="852 1701 998 1732">Date</th> <th data-bbox="1015 1669 1380 1732">Bucket Density (lb)</th> </tr> </thead> <tbody> <tr><td data-bbox="852 1743 998 1774">5/21/2003</td><td data-bbox="1015 1743 1380 1774">7970</td></tr> <tr><td data-bbox="852 1774 998 1806">5/21/2003</td><td data-bbox="1015 1774 1380 1806">8090</td></tr> <tr><td data-bbox="852 1806 998 1837">5/21/2003</td><td data-bbox="1015 1806 1380 1837">7540</td></tr> <tr><td data-bbox="852 1837 998 1869">5/23/2003</td><td data-bbox="1015 1837 1380 1869">8060</td></tr> </tbody> </table>	Date	Bucket Density (lb) Feed Forward	Bucket Density (lb) Production Back	4/25/1994	7656	7574	4/26/1994	7656	7916	4/27/1994	7656	7256	4/28/1994	7656	7180	5/2/1994	7656	8058	5/5/1994	7656	8540	5/6/1994	7656	6763	3/28/1996	6296	6852	3/29/1996	6296	5995	4/25/1996	6820	6605	4/26/1996	6820	7307	Date	Bucket Density (lb)	5/21/2003	7970	5/21/2003	8090	5/21/2003	7540	5/23/2003	8060
Date	Bucket Density (lb) Feed Forward	Bucket Density (lb) Production Back																																													
4/25/1994	7656	7574																																													
4/26/1994	7656	7916																																													
4/27/1994	7656	7256																																													
4/28/1994	7656	7180																																													
5/2/1994	7656	8058																																													
5/5/1994	7656	8540																																													
5/6/1994	7656	6763																																													
3/28/1996	6296	6852																																													
3/29/1996	6296	5995																																													
4/25/1996	6820	6605																																													
4/26/1996	6820	7307																																													
Date	Bucket Density (lb)																																														
5/21/2003	7970																																														
5/21/2003	8090																																														
5/21/2003	7540																																														
5/23/2003	8060																																														

Comment or Item	Response
	<p>5/23/2003 7470 5/23/2003 8140</p> <p>3. The results of the direct feed measurement data obtained during the 2003 source tests indicated a feed to lead metal produced factor of 1.3249, in contrast to the 1.16 factor from ref. 5, and in contrast to the 1.095 lead yield factor from the 1996 report of ref 1.</p> <p>4. In summary, the ref 5 table implied that in 2003 there were a total of 6.67 hours of test runs, 2 days of testing, 55 bucket loads, and two bucket density calibration values. In reality, there were 53 hours of testing, 12 days of testing, 397 bucket charges, and six bucket density calibration values.</p>
<p>A10</p> <p>From the analysis, the resulting factor relating total lead production (from the reverberatory and electric slag furnaces) to total feed to the rotary furnace is 1.23 to 1.24. Thus, Quemetco believes that the appropriate multiplying factor is in the range of 1.14 to 1.24 and not 1.429.</p>	<p>AQMD's analysis of data recently submitted by Quemetco has indicated that even the suggested multiplying factor of 1.14 to 1.24 tends to underestimated the actual material charge rates. These findings are briefly discussed below.</p> <p>Quemetco's material balance flow chart presented for May 23, 2003, represented a feed composition with no first run slag in the feed material. The flow chart presented for July 1, 2003 was for an example where slag material was used to displace part of the other feed material components. The results of the two flow charts corresponded to Feed/Pb correction factors of 1.26 and 1.27, respectively. This is an average of 1.265. Quemetco's material balances assumed lead scrap and lead dross charging rates of approximately 10 % and 22 %, respectively. These balances also assumed moisture content of the battery wrecker material to be about 5 %.</p> <p>The material balance data was analyzed and adjustments were made to reconcile the data submitted by Quemetco in 2005 with the furnace log reports submitted by Quemetco for</p>

Comment or Item	Response
	<p>the 24 hour periods corresponding to these two dates in 2003. The results of the AQMD's calculations after making these corrections were Feed/Pb factors of 1.22 and 1.25, respectively for these two dates. The average resulting factor is 1.235. Next, based on the numbers supplied in the Quemetco material balance flow charts, an average wet wrecker material feed charging rate of 739,400 lbs/day was reconciled with the reported furnace log data for each of the 12 days studied in 2003. The results of this analysis produced factors of 1.25 and 1.28, an average of 1.265, in exact agreement with the Quemetco estimate.</p> <p>Finally, the average of all 12 day's factors was determined to be equal to a value of 1.28. The average lead scrap and lead dross charging rates were determined to be 10.37 % and 22.04 %, respectively, for these twelve days when source tests were being performed.</p> <p>In fact, based on the results of 22 days of direct weight measurement in May/June of 2005, the actual feed to lead ratio is actually an average of 1.409 lbs feed/lb Pb. This agrees extremely well with the previously predicted factor of 1.429 within a difference of only 1.4%. Since the direct measured factor during the tests in 2003 was 1.325, it is most likely that the feed material used during the 2003 source tests had a lower moisture and organic content.</p>
All	
<p>Quemetco has recently proposed a direct measurement device which will not require the use of production data or factors. On April 19, 2005, Quemetco filed an application for a change of permit conditions to install "load cell" systems which will use an on-board module for the front end loaders.</p>	<p>The AQMD has evaluated this proposal and has recommended approval with appropriate conditions to verify the reliable operation of the proposed, modular weighing system. The recommended conditions are included in the revised draft permit.</p>

Comment or Item	Response
<p>A12</p> <p>In Section D, paragraph K67.13, page 54 of the Draft Title V, the District has added an additional and extremely onerous record-keeping requirement....Frankly, the requirement to maintain these numerous records will neither serve an air quality purpose nor a commercial purpose...We request that this new requirement be completely stricken from the permit.</p>	<p>This condition requires tracking of the raw lead metal produced by the reverb and slag furnaces and, in addition, the amount of lead metal entering and leaving this facility. The information is required in order to make Condition C1.7 (the feed rate calculation equation) enforceable. The lead metal amounts produced by the large furnaces is needed for calculation of the raw feed using the previously described factor. The lead metal entering, present, and leaving the warehouse is needed for audit purposes to verify that the lead weights reported as furnace output remain reasonably accurate. Since both criteria and toxic air contaminants from this operation are closely related to the total amount of feed material charged to the rotary dryer hopper, it is critical, from an air pollution control reference point, that the amount of lead metal be accurately quantified as required by this condition.</p> <p>However, with the proposed implementation of the direct weighing system, the record-keeping condition has been revised to only require records of raw lead metal produced in the reverberatory and slag furnaces on a daily and quarterly basis.</p>
<p>A13</p> <p>Quemetco questions the regulatory and technical basis for the permit conditions listed as A63.2, A63.3, and A63.4. These new permit conditions set forth VOC, CO, and PM10 emission limits for devices D3, D8 and D84. These limits were not in the previously issued Title V permit. Thus, adding new emissions is an impermissible substantive change.</p>	<p>These conditions are required as AQMD finalizes Permit to operate pursuant to Rule 1313 (g), which states:</p> <p>Emission Limitation Permit Conditions Every permit shall have the following conditions: (1) Identified BACT conditions; (2) Monthly maximum emissions from the permitted source.</p> <p>Again, these are not Title V related actions, but rather regular Permits to Construct and Permits to Operate functions.</p>
<p>A14</p> <p>If it is the District's position that specific emission limits must be included in the per-</p>	<p>Throughput restrictions are necessary in lieu of CEMS and mass emission monitoring and</p>

Comment or Item	Response
<p>mit, then there is no sound regulatory reason to limit throughput and any throughput restriction should be eliminated from the permit...</p>	<p>are applicable to non-RECLAIM (i.e. non NOx and SOx) <u>criteria</u> emissions (VOC, CO, PM10) and toxic air contaminants. The process weight limitations are surrogate conditions intended to limit toxic air contaminants in addition to criteria pollutant emissions.</p>
<p>A15 Additionally, the District utilized 2003 stack test data in developing the emission limits for VOC's and CO for device D3. If it is the District's position that the emission limits should have been included in the permit in 1997, when the throughput limit was established, then the District should use 1997 source test data to set the emission limits. The VOC and CO emission limits should be based on available data closest to 1997 as possible.</p>	<p>Device D3 (rotary dryer) was modified to the extent that renders the validity and applicability of the 1997 source test data to the current dryer configuration as questionable. The only data that can accurately represent VOC and CO emissions for the dryer is the data obtained in the 2003 source tests.</p>
<p>A16 Mr. Duncan McKee filed a request with the AQMD seeking a public hearing... Mr. McKee then filed an "addendum" purportedly intended to "clarify" allegations made in Section 1a of the McKee request. Quemetco denies Mr. McKee's allegations of illegal activity (disposing of plastic and rubber in the dryer and furnaces) is baseless. The fact that neither the DTSC or the AQMD have ever accused Quemetco of such illegal activities indicates this. Despite the numerous times the AQMD has informed Mr. McKee at various public meetings that such a practice does not occur, Mr. McKee continues on with the allegations and the record needs to be set straight.</p>	<p>AQMD appreciates Quemetco's response to this and other comments. AQMD staff will utilize appropriate information provided from all parties (including Quemetco and Mr. McKee) and will determine the appropriate response and/or course of action for all comments made.</p>

Section B

Comments from Mr. McKee in letter received on 4/26/2005, postmarked 4/22/2005, (ref. 8); other reference documents received on 4/14/2005, postmarked 4/13/2005 (ref.7)

Comment or Item	Response
<p>B1</p> <p>Alleged potential illegal activity, the addition (disposal) of previously separated plastic and rubber in the furnaces has never been addressed. The wrong stack was source tested with regards to potential organic emissions from this practice.</p> <p>There is 5,300-PPM of lead in the soil outside the Quemetco's fenceline. Is this a result of illegal dumping or fallout from Quemetco's stacks and other processes? ----</p>	<p>The USEPA's Boiler and Industrial Furnace (BIF) rule allows secondary lead smelters to process material containing tramp organic material (such as rubber and plastic) as long as this material also contains lead which can be refined out of this material. This is a hazardous waste issue and alleged illegal activities are under DTSC jurisdiction.</p> <p>Undoubtedly, some of the soil lead at Quemetco's fence line can be contributed to fallout from the smelting processes. This facility has been operating in this one location for over 40 years. Lead emissions typically settle in short distances from a facility and accumulate over time and has the potential to reach significant levels. Soil lead contamination is again within DTSC's jurisdiction.</p> <p>The assertion that the wrong stack was tested is somewhat misleading. The stacks that were tested previously were those known to have emissions. It was later discovered that the rotary dryer stack could be a source of organic emissions. As a result, Quemetco was required to run tests on the rotary dryer stack and the tests were completed in 1997.</p>
<p>B2</p> <p>Photographic evidence of stack emissions shows that when the tests were performed on the rotary dryer, it was in no way indicative of what comes out of the stacks during "normal operations." The tests also do not measure cases where material impinges on the flame in the dryer.</p>	<p>The submitted photographs have been examined and, based on AQMD staff's engineering experience, the visible emissions in these pictures appears to represent condensed water vapor (steam).</p> <p>The absence of these visible plumes during source tests can be explained by the fact that</p>

Comment or Item	Response
	<p>many source tests are performed on days where the meteorology is conducive to the source testers remaining dry (i.e., not raining and humid). The lower relative humidity present during some of the source tests can explain the lack of visible emissions from the stacks on those days.</p> <p>In Appendix A, "ANALYSIS OF VARIOUS STEAM PLUME CONFIGURATIONS", an explanation is provided for the various plume configurations illustrated in Mr. McKee's submitted photographs. There are two psychrometric charts provided which illustrate the relationship between temperature and the capacity of air to hold evaporated water in the gas phase. Essentially, when the relative humidity exceeds 100%, water vapor (which is invisible) will condense (precipitate) out of the gas phase and appear as a fine mist of water particles (droplets) which appear as visible emissions. Therefore, the illustrated system lines that are located in whole or in part to the left of the 100% relative humidity curve indicate the appearance of a visible steam plume. The graphical analysis indicates that in some cases, the conditions in the reverberatory furnace stack are such that a barely visible plume may occur while in other cases, the conditions may exist where there are visible condensed steam emissions in the exhaust stack even before the exhaust gas leaves the stack. The plume can vary from almost nothing to a very long plume as indicated in the accompanying illustrations for the three selected cases in each illustration. The relative intensity of the appearing plumes is indicated by the length of the horizontal arrows pointing to the left in each of the psychrometric charts. The visible steam plumes by their abrupt disappearance at a point downwind where the relative humidity is less than 100%.</p> <p>The configuration of the dryer most probably</p>

Comment or Item	Response
	<p>results in some material that undergoes partial combustion. This most probably occurred during the test as evidenced by the fact that the AQMD detected organic emissions in the stack gases. Had no impingement occurred, it is likely that no organic emissions would have been detected.</p>
B3	
<p>SCAQMD has received literally hundreds of reports regarding concentrated toxic and noxious fumes from Quemetco, yet the AQMD Compliance Division has refused to identify or analyze these occurrences despite these complaints and the photographic evidence.</p>	<p>For complaints either alleging Quemetco or for complaints where Quemetco was confirmed as the source, in the period starting from June 2, 2000, for the remainder of 2000, the AQMD received three (3) complaints; in 2001, nine (9) complaints; in 2002, ninety-nine (99) complaints; in 2003 twenty-eight (28) complaints; in 2004, twenty-three (23) complaints; and in 2005, through the date of the Public Consultation Meeting held June 28, 2005, eight (8) complaints. Therefore, the total number of Quemetco complaints received by the AQMD for the 5-year period was one hundred-seventy (170). The maximum number of individuals complaining on any one date was three. AQMD compliance staff used established policies and procedures to investigate the complaints. For the majority of complaints, AQMD inspectors could not verify an odor. For some complaints, AQMD inspectors noted a usually fleeting "burnt plastic odor." The odor was assumed to be coming from Quemetco, however, AQMD inspectors have been unable to trace the odor to specific equipment at the facility. The Quemetco facility remains on the AQMD's "Hot List", and the AQMD will continue to closely monitor the facility and respond to complaints.</p>
B4	
<p>The legality and validity of Quemetco's current permits is in question. The size and volume of material processed at this facility is many times what it was since it was acquired by Quemetco. Quemetco also submitted false information on their CEQA form by failing to list plastic and</p>	<p>The increases that Quemetco sought and received were those allowed by air pollution control laws at the time of application submittal. With regards to the CEQA forms, there is no specific requirement on this form to list feed composition.</p>

Comment or Item	Response
rubber as fuel for the furnace.	
B5	
<p>We would like the SCAQMD to explain how they allowed Quemetco to file applications, install new equipment, have emission increases, without proper public notification required by law. Specifically, there has been a doubling in the number of refining kettles and large increases in amounts of sulfur, from 400 pounds per day to 400 pounds per hour, which appears to be an increase of 23 times in the potential to emit. Large increases in the amount of phosphorous allowed to be added to the kettles has also occurred.</p>	<p>The receiving of applications, installation of equipment, and emission increases, in and of themselves, do not require public noticing. The AQMD is required to public notice projects prior to granting air quality permits when the noticing criteria under Rule 212 or Regulation XXX (Title V) are triggered.</p> <p>The increases in phosphorous causes increases in particulate matter which is in turn controlled by extremely efficient baghouses so that the magnitude of the resulting emission increases complied within the scope of those allowed by law. The use of sulfur results in SOx emissions. SOx is a RECLAIM air contaminant, and after a review of the proposed change, the AQMD determined that the change which was sought for operational flexibility was allowed under RECLAIM rules. It should be noted that the emissions of SOx at the Quemetco facility have been decreasing over the last few years.</p>
B6	
<p>There is potential noncompliance with BACT requirements for the plastic and rubber separation system as AQMD staff has stated it is outdated.</p>	<p>There are no organic emissions that directly result from the plastic separation system, so BACT does not apply. Staff's comment that the system is "outdated" needs to be put in proper context. The system has indeed been employed for a long period of time, and only in this sense it is "outdated". However, it should be noted that other smelters having processes analogous to Quemetco's employ the same type of separation system (sink float gravity separation). In short, it is a durable and effective technique to separate out plastic in this process. It should also be noted that the plastic is a desired commodity and there is financial incentive for Quemetco to separate out as much plastic as possible.</p>

Comment or Item	Response
B7	
<p>There are major problems with health risk assessment. Emissions from materials impinging on the flame in the rotary dryer have never been tested.</p>	<p>In response to public concern, the AQMD tested the rotary dryer for toxic organic emissions in 2003. The results of the testing did indeed reveal toxic organics being emitted that result from the probably partial combustion of plastic and rubber in the dryer. These toxics have been included in the HRA.</p>
B8	
<p>There is a disproportionate cumulative impact of additional major sources in this area.</p>	<p>The AQMD does not have jurisdiction over city zoning issues and the siting of businesses. However, wherever businesses are located that emit air pollution, the AQMD ensures that the facilities operate in compliance with all applicable air pollution control laws.</p>
B9	
<p>There are inadequate limitations on input, record keeping. There needs to be testing of the kettles since there can be up to 1.28 million pounds per day of rubber and plastic charged to these pot furnaces.</p>	<p>The AQMD has imposed on Quemetco the most stringent permit requirements legally possible. Quemetco will be using a new direct weighing system for feed materials and will be a part of their new Title V permit, when the revised draft permit is finalized. There is a permit condition (B59.1) that prohibits the charging of rubber and plastic into the refining kettles (i.e., pot furnaces) on the existing and proposed draft permit.</p>
B10	
<p>Regarding Section H, page 9 of the permit. A source test needs to be performed to determine emissions resulting from the addition of plastic/rubber to the refining kettles.</p>	<p>Refining kettles have never been allowed to add plastic and have not been allowed to add rubber since 1992. However, testing was conducted in November 2005 to further evaluate potential toxic organic emissions that may result from the use of petroleum coke in the refining kettles.</p>
B11	
<p>Regarding Section D, page 27 of the permit. Condition S53.1 The term "maximum extent physically possible" is inconsistent with Rules 1303 & 1401</p>	<p>AQMD staff has revised this condition to make it more enforceable. In addition, staff has included a detailed equipment configuration description of the separation system in the draft Title V permit equipment description (previously it was not included).</p>

Comment or Item	Response
	<p>Rule 1303 (BACT) and 1401 (toxics) do not apply to the separation system as no emissions are produced by its operation.</p>
<p>B12 Section D and H, Cond. F16.2 of permit. Operator shall keep records and the source test must be performed when the maximum potential refining is occurring.</p>	<p>This condition is for compliance with Rule 1407 for the facility. It specifies by reference parts of this condition which are applicable in this case. Rule 1407 requires, in essence, that the baghouses venting non-ferrous metal melting furnaces at this facility have a control efficiency of greater than 99 % for particulate matter or 98% for lead. Quemetco chose to comply with the option for 98% control of lead and source tests approved by the District showed compliance with this performance standard (in fact, efficiencies reported were well above 99%). This standard does not measure emissions potential, only particulate control efficiency. Therefore, level of operation does not apply.</p>
<p>B13 No simple changes to the terms of the permit will adequately address the complex issues regarding the Quemetco facility and a complete investigation is requested.</p>	<p>Some of the existing permit conditions are themselves complex due to the complex nature of the operations at the Quemetco facility. New proposed conditions and revised conditions are included in this Title V draft permit to help mitigate some of the concerns raised by the community. This facility, due to its nature, is often under surveillance by the AQMD's Compliance unit and is inspected frequently to determine compliance.</p>
<p>B14 Due to the importance of this case we feel it would be wise to look at and discuss the severity of the health risks involved and address omissions in the proposed permit.</p>	<p>Each time that a permit is issued, a comprehensive evaluation is performed. All permitting issues have been addressed and the draft Title V Permit is believed to contain sufficient conditions and limits to ensure compliance with all applicable air pollution</p>

Comment or Item	Response
	rules and regulations.
B15	
<p>Copy of Transcript of Proceedings dated 4-24-96, Public Scoping Meeting (DTSC?): “.....Myself and our workers from the plant are very concerned about the lead as well as the other emissions; arsenic, plutonium, sulfuric acid as well as whatever else might be emitted.”</p>	<p>To the best knowledge of the District, materials containing plutonium are not charged to the metallurgical furnaces at Quemetco. Emissions of lead, arsenic, and sulfuric acid are accounted for in the permit and will be addressed in the review of the AB 2588 Health Risk Assessment (HRA). The AQMD has also included a new condition (B163.4) allowing only lead acid batteries and lead acid battery components to be processed through the crushing system at Quemetco.</p>
B16	
<p>There is a photograph of AQMD Inspector Kim Bolander talking to Neil Lyon of Quemetco while parked at the side of the road.</p>	<p>In the process of investigating nuisance complaints, inspectors usually have to make contact with someone from the alleged source of the nuisance during the field investigation. This meeting may, as the situation requires, involve meetings which do not actually occur within the property boundaries of the alleged source. Therefore, the investigation of an alleged nuisance complaint, as indicated in the submitted photograph, while not a common occurrence, is within the proper scope of compliance activities.</p>
B17	
<p>Excerpt from file memo dated 4-10-1997: "Mohan Balagopalan indicated that improvements are needed in the method used for record keeping of feed materials at this facility."</p>	<p>The AQMD examined the process weight methodology and determined that it could be refined and improved and proposed an alternate method. As a result, discussions with Quemetco has led to an even more accurate methodology, that being a direct weighing system for the feed materials. Permit conditions are included in the draft Title V permit requiring strict monitoring requirements for this new system that will certainly yield more accurate and dependable feed rates and is a significant improvement in the verifiability of compliance of the Quemetco operation.</p>

Section C

Comments from Request for Title V public hearing from Mr. Thomas Lohff, received on 4/12/2005, postmarked 4/8/2005. (ref. 10)

Comment or Item	Response
C1	
<p>Reliance on Quemetco for record keeping is unacceptable, they have been convicted of criminal offences.</p>	<p>The AQMD has to rely to a given extent on every operator when it comes to recordkeeping and other monitoring activities that have to do with the operation and compliance status of a facility. The new direct feed weighing system that is being implemented has a number of “automated” technologies that will better ensure the accuracy and enforceability of the process feed rates. The proposed permit conditions regarding the new feed weighing system at Quemetco are an example of the due diligence employed by the AQMD in the permit process with regards to this company.</p>
C2	
<p>Quemetco has an excessive use of pollution credits.</p>	<p>Quemetco is subject to RECLAIM rules and is allowed to participate in the market for NOx and SOx pollution credits within the constraints of these rules.</p>
C3	
<p>The permit should include provisions for verification of feedstocks.</p>	<p>There are several permit conditions (e.g. B163.2 and B193.3) that list of materials which can be charged to each type of furnace, and where applicable, conditions (e.g. B59.2) that restrict the different types of materials which are allowed to be charged. The taking of feed samples for laboratory analysis during unannounced inspections can determine compliance of feed materials.</p>
C4	
<p>The AQMD must require simultaneous testing of all pollution sources at the Quemetco facility.</p>	<p>All stationary sources of emissions at Quemetco have been source tested to determine the maximum potential to emit air contaminants. This data has also been used in a facility wide HRA to determine the cumulative impact of all air pollution sources that would exist if they were all operating together si-</p>

Comment or Item	Response
	multaneously at maximum permitted levels. HRAs can be used for permitting purposes and for AB2588 purposes.
C5	
Item 3: A public hearing would bring to light the absolute ineffectiveness of the current system and SCAQMD's inability to protect the public health and safety in this case.	The AQMD is only one of several governmental agencies with specific areas of limited jurisdiction. The AQMD works within a framework of rules and regulations that apply to various facilities, equipment, and processes. The AQMD understands the frustration of the community having businesses located near sensitive receptors, however, the AQMD is not in a position to control land use. The AQMD will continue to work with the community and facility to ensure that impacts are minimized or eliminated. The AQMD will continue to work with other government agencies in regards to siting and zoning issues.

Section D

Comments Sent via E-mail from Angela Johnson Meszaros on 6/29/05 and 6/30/05.

Comment or Item	Response
D1	
Does Rule 1470 apply to Quemetco's two back-up engines (Devices D83 and D92)?	Rule 1470 does apply to Quemetco's back-up engines D83 and D92. An additional condition has been included to reflect this requirement.
D2	
Are any of the following devices subject to federal or district rules or conditions: D125; S90; B102; B103; D79; D80; D81?	<p>Though these devices do not have any specific device conditions listed in Section D of the Title V permit, it is important to note that all the devices are subject to the administrative conditions set forth in Section E and the Title V administration conditions in Section K. Please note the specific comments below for each device cited:</p> <p>D125: This device (hammermill) is part of System 1 in Section D and is subject to system condition S53.1 as specified in the permit.</p>

Comment or Item	Response
	<p>S90: Emissions from SOx scrubber stack S90 that vents the slag furnace is controlled primarily by conditions on the furnace itself; it should also be noted that SOX is a RECLAIM contaminant and is regulated under Regulation XX. Even so, the permit has been revised to include devic S90 as havning to comply with condition D381.1.</p> <p>B102 and B103: These units (chiller and ozone generator) are part of the LoTOx system and are used to comply with NOx requirements under the RECLAIM program (Regulation XX). Additionally, it should be noted that neither of these components of the LoTOx system themselves cause or control air pollutants; the devices are included in the permit to enhance process clarity and to note their existence.</p> <p>D79; D80 and D81: These storage tanks (one waste oil and two propane) are permitted as part of a fuel storage and dispensing system. The propane tanks are subject to Rules 463 and 466.1. Additional conditions will be included to reflect these requirements.</p>
D3	
<p>Was a “statement of basis” prepared for this proposed permit and was it made available to the public.</p>	<p>At the time the draft proposed permit was released, the AQMD was engaged in dialogue with the EPA regarding the requirements and format for inclusion of a “statement of basis”. The matter has been resolved and a “statement of basis” has been prepared. Copies of the Statement of Basis for Quemetco’s Title V permit can be made available upon request.</p>
D4	
<p>The conditions being drafted for the new direct measurement system for the feed rate that will be used in lieu of the calculational method contained in the current draft permit are a critical part of the permit application and should not be incorporated without opportunity for public review.</p>	<p>The conditions drafted for the direct measurement system for the feed rate have been included in the revised draft permit. The permit will again be public noticed to solicit comments. Comments will be limited to <u>this new direct measurement system for feed materials.</u></p>

Section E

Comments made at the June 28, 2005 Public Consultation Meeting

(Note: Comments are edited for clarity)

Comment (Transcript Text and Page No.)	Response
<p>E1</p> <p>I URGE THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT TO WORK CLOSELY WITH LOCAL RESIDENTS IN ADDRESSING THE MANY ENVIRONMENTAL AND PUBLIC HEALTH ISSUES THAT HAVE BEEN RAISED.</p> <p>Pg. 26</p>	<p>The AQMD has been working closely with local communities on this issue and will carefully analyze and consider all the comments and concerns raised. An Environmental Justice (EJ) Council was formed in 2003 and included community, industry, and AQMD executive staff as its members. The council has met on 6 separate occasions to respond to issues of concern in detail.</p> <p>The AQMD also performed additional source testing as a result of public concern. The Compliance Division has responded to numerous complaints and has even distributed canisters to community members so that they themselves could grab an air sample when experiencing a foul odor.</p>
<p>E2</p> <p>AGAIN, I URGE THE SOUTH AIR QUALITY MANAGEMENT DISTRICT TO CAREFULLY CONSIDER CONCERNS RAISED TONIGHT BY RESIDENTS BEFORE REACHING A FINAL DECISION. WE DO NOT WANT QUEMETCO IN OUR NEIGHBORHOOD. AS YOU KNOW, LA PUENTE IS A VERY HARDWORKING COMMUNITY. AND MOST OF OUR PEOPLE COULD NOT ATTEND FOR TWO REASONS. FIRST OF ALL, MOST OF THE NOTICES WERE SENT OUT IN ENGLISH. SOME OF THEM DID NOT GET IT IN SPANISH. AND SECOND, YOUR HANDOUTS ARE ONLY CATERING TO ENGLISH-SPEAKING PEOPLE. ALTHOUGH YOU HAVE A TRANSLATOR HERE, WHICH I AM SURE HE IS DOING A TREMENDOUS GOOD JOB IN TRANSLATING, BUT MOST IMPORTANTLY, WHEN THE NOTICES DID NOT GET IN THE PROPER LANGUAGES. BASICALLY THESE LETTERS ARE ONLY CATERING TO THE ENGLISH-SPEAKING PEOPLE, BUT NOT THOSE WHO ARE MONOLINGUAL IN OTHER LANGUAGES. AND WE HAVE A VERY LARGE ASIAN COMMUNITY HERE IN THE HACIENDA HEIGHTS AREA AND THE SPANISH-SPEAKING COMMUNITY IN LA PUENTE.</p> <p>Pgs. 27, 28, 29</p>	<p>Zoning matters are handled by the cities and counties. The SCAQMD does not have jurisdiction over zoning and land use issues. However, wherever businesses are located in the basin that emit air pollutants, the AQMD ensures that the facilities operate in accordance with all applicable air pollution control laws.</p> <p>For the Public Consultation Meeting, the AQMD mailed English-Spanish bilingual notices to more than 2700 addresses in this neighborhood. Notices were also placed in two local newspapers. Spanish-English translation was also provided during the public consultation meeting.</p>
<p>E3</p> <p>I NOTICE ALMOST EVERYWHERE YOU HAVE AVERAGE EMISSIONS, BUT I'M NOT REALLY CONCERNED WITH AVERAGE EMISSIONS. I HAVE TO BREATHE EVERY SINGLE MINUTE OF EVERY SINGLE DAY, AND I'M MORE CONCERNED WITH PEAK EMISSIONS. TESTS FOR THE DRYER AND REVERB WERE CONDUCTED NEAR MAX AND EXTRAPOLATED TO MAXIMIZE. THAT, AS WE ALL KNOW IN THE REAL WORLD, RUNNING SOMETHING AT 50 PERCENT HAS ABSOLUTELY NOTHING TO DO WITH RUNNING SOMETHING AT A HUNDRED PERCENT. WHEN YOU RUN</p>	<p>The AQMD staff conducted a detailed analysis of Quemetco's production data during the 2003 testing of the rotary dryer. The analysis verified that the reverb furnace and rotary dryer were operating at 97 percent of their maximum permitted capacity during the tests. The lowest production day during the 14 days of testing was 79 percent of the maximum, while</p>

Comment (Transcript Text and Page No.)	Response
<p>SOMETHING AT A HUNDRED PERCENT, EVERYTHING IS – NEEDS TO BE 100 PERCENT. IF IT ISN'T, YOU START FINDING OUT ABOUT AROUND 90 PERCENT</p> <p>OR SO. IF THEY WEREN'T DOING A HUNDRED PERCENT OF THEIR CAPACITY, TESTING ISN'T REALLY ADEQUATE.</p> <p>Pg. 33</p>	<p>most of the other days were operating above 90 percent of the maximum capacity. Therefore, staff believes that the tests were representative.</p>
<p>E4</p>	
<p>I MYSELF HAVE COMPLAINED NUMEROUS TIMES THAT WHENEVER IT'S WINDY OR WHENEVER IT'S RAINING, QUEMETCO JUST POLLUTES THE DAYLIGHTS OUT OF THE NEIGHBORHOOD. AND I PERSONALLY HAVE LOTS OF PROBLEMS WHEN IT RAINS. I'M OUTSIDE WHEN IT RAINS, AND I SMELL THEM ALMOST EVERY SINGLE TIME IT RAINS. I DO HAVE TO SAY THE ODORS SEEM TO HAVE DIMINISHED. YES, THEY HAVE DIMINISHED. UNFORTUNATELY I HAVE GIVEN UP ON THE 1-800-CUT SMOG LINE. IT'S JUST THAT YOU CALL 10, 20 TIMES, AND PEOPLE START GIVING YOU THE RUN-AROUND. PEOPLE START TELLING YOU, OH, THE WINDS ARE NOT BLOWING IN YOUR DIRECTION. IT CAN'T POSSIBLY BE COMING FROM QUEMETCO. I'VE LIVED THERE FOR 30 YEARS, 40 YEARS, 45 YEARS OR SO, AND I KNOW WHAT IT SMELLS LIKE WHEN QUEMETCO DOES THEIR THING.</p> <p>Pgs. 34, 35</p>	<p>The AQMD will continue to place Quemetco on the "hot list", monitor the situation, and expeditiously respond when a complaint is received. Due to the fleeting nature of the odors, it can be quite discouraging for the complainants that the inspectors cannot always arrive in time to verify the odors. However, it is important for the public to continue to call the 1-800- CUT-SMOG line. In addition, the community members may want to keep a log of the time, date, and description of the odors to assist AQMD inspectors in identifying a pattern.</p>
<p>E5</p>	
<p>MY CONCERN PRIMARILY IS ABOUT THE IMPACTS OF THOSE EMISSIONS TO THE CHILDREN, TO THE SCHOOLS. HOW MANY CHILDREN AND HOW MANY SCHOOLS ARE BEING IMPACTED? I'M VERY CURIOUS ABOUT THAT. SO IF YOU CAN PROVIDE ME WITH A RESPONSE TO THAT, I REALLY APPRECIATE IT.</p> <p>Pg. 39</p>	<p>The AQMD has identified 111 public schools within a 5 mile distance of Quemetco. The breakdown is as follows:</p> <p>There are 5 schools within a 1 mile distance.</p> <p>There are 21 schools within a 2 mile distance.</p> <p>There are 21 schools within a 3 mile distance.</p> <p>There are 37 schools within a 4 mile distance.</p> <p>There are 27 schools within a 5 mile distance.</p> <p>The AQMD data base does not contain the number of students attending these schools.</p>
<p>E6</p>	
<p>NOW, WHY DOES QUEMETCO HAVE TO BE IN A RESIDENTIAL AREA? THEY HAVE A RIGHT TO BE IN BUSINESS. I'M NOT FIGHTING THAT AT ALL. BUT WHY CAN'T THEY BE OUT IN THE DESERT SOMEPLACE OR OUT IN AN UNPOPULATED AREA?</p> <p>Pg. 42</p>	<p>This is a zoning issue for which the involved cities have jurisdiction. The actual land use decisions that were made locating homes adjacent to facilities many years ago weren't as smart as those today. But we know for certain types of businesses that it would be better to have what we would call a buffer zone, an area of distance between that business and where</p>

Comment (Transcript Text and Page No.)	Response
	<p>people live. The AQMD board has recently adopted a guidance document that we are providing to local governments. Our counterparts at the state level, the Air Resources Board, has done something somewhat similar, but complimentary to our document.</p> <p>The AQMD is not in a position to control land use, and we have a situation with a facility that has a lawful right to be located where it is. The AQMD is trying to work with the community and facility to ensure that impacts are minimized or eliminated. We understand that's not satisfying, and it illustrates that as new communities develop or as existing communities rejuvenate, that all government agencies collectively have to do a better job of where we locate certain types of businesses versus where people live.</p>
E7	
<p>I HAVE CHILDREN IN THEIR 40S, AND ALL THREE OF THEM HAVE RESPIRATORY PROBLEMS. ALL OF THEM. NOW, IT ISN'T JUST HAPPENING NOW. WHAT ARE YOU GOING TO DO <u>DOWN</u> THE ROAD FOR ALL THESE KIDS THAT ARE GOING TO SCHOOL?</p> <p>Pgs 46, 47</p>	<p>The AQMD agrees and is aware of the high incidences of respiratory problems, especially asthma. The agency is doing a number of things in this regard. First, we are continuing to put new polioies and regulations into place to further control air pollution and thus improve air quality. Second, the agency is using some penalty monies and has, through UCLA, created an asthma consortium whose goal is to establish a better understanding of asthma and its relationship with air quality in the hope of finding better treatments and solutions. The AQMD has also in the past sponsored breath mobiles that visit schools to test kids for asthma and to assist them in getting treatment. We believe the agency will be doing more of this activity in the near future. Lastly, the AQMD works with the American Lung Association on their Healthy Airways Program for schools. In summary, the AQMD shares your concern and the AQMD Governing Board has made the reduction of respiratory illnesses at the heart and core of our mission as an organization.</p>
E8	
<p>ACTUALLY HAVING A PUBLIC HEARING IS IMPORTANT. THE EXCERPT THAT FROM AN EPA DOCUMENT CALLED "THE PROOF IS IN THE PERMIT." INDICATES THAT YOU NEED TO HAVE A FORMAL PUBLIC HEARING IN ORDER FOR YOUR COMMENTS TO SERVE AS A BASIS TO PETITION THE U.S. EPA TO OBJECT TO THIS PERMIT. MY BELIEF IS THAT THIS PUBLIC CONSULTATION MEETING DOESN'T MEET THAT THRESHOLD, ALTHOUGH I HAVE HAD CONVERSATIONS WITH PEOPLE AT THE EPA, AND THEY ARE STILL THINKING ABOUT IT. I JUST WANT TO BE CLEAR SO THAT I CAN UNDERSTAND. IS THE PUBLIC COMMENT PERIOD CURRENTLY OPEN FOR THIS PERMIT OR IS IT CLOSED? WILL THE EPA ACCEPT THE STATEMENTS THAT ARE MADE DURING THIS MEETING AS A BASIS FOR A PETITION TO EITHER OBJECT TO THEPERMIT OR PETITION TO REOPEN THE PERMIT?</p> <p>Pgs. 49, 50</p>	<p>The AQMD permitting and legal staff determined that a Hearing was not merited due to lack of a valid reason as specified in Rule 3006. The main reason was that the submitted information was either too ambiguous with respect to the Rule 3006 criteria or causes for certain observations were misdirected (e.g., steam plumes cited as air pollution). Even so, it was decided to hold a public consultation meeting and reopen the public comment period because the AQMD wanted the community's participation in the process. The AQMD will accept and consider all public comments received through the public consultation meeting. The AQMD has not received a decision from the EPA regarding their position on this matter. Never-</p>

Comment (Transcript Text and Page No.)	Response
	<p>theless, we will document all comments as well as our responses and submit them to the EPA for their final review.</p>
<p>E9</p> <p>MY FIRST POINT IS GOING TO BE THAT THE DISTRICT MUST DENY QUEMETCO'S TITLE V APPLICATION BECAUSE IT CANNOT SHOW THAT THE OPERATION UNDER THE PERMIT WILL COMPLY WITH ALL REGULATORY REQUIREMENTS. QUEMETCO IS REQUIRED TO COMPLY WITH AQMD RULE 1402, AND THE SUBMITTAL FOR THAT PLAN IS STILL PENDING RULE 1402 REQUIRES THAT THE CANCER BURDEN FOR THIS FACILITY AND ALL FACILITIES IN THE BASIN BE BELOW .5; WHEREAS, THIS FACILITY HAS A CANCER BURDEN OF 1.15. SO IT SEEMS TO ME THAT THIS PROPOSED PERMIT WOULD AUTHORIZE THE CONTINUING VIOLATION OF THE RULE 1402 LIMITS. QUEMETCO SUBMITTED THEIR FIRST DRAFT HRA IN DECEMBER 2000. IT WASN'T APPROVED. THEY TRIED TO APPROVE IT. THEY'VE GONE BACK AND FORTH. THEY HAD THIS PUBLIC MEETING IN JANUARY OF 2003 AND THEY'RE STILL WORKING ON THE HRA, AND WE HOPE THAT WILL BE COMPLETED, AT SOME POINT. IT'S BEEN NEARLY FIVE YEARS FOR THIS PROJECT.</p> <p>Pgs. 54, 55</p>	<p>Quemetco is in compliance with AQMD Rule 1402, Control of Toxic Air Contaminants from Existing Sources. Therefore, the Title V permit renewal cannot be rejected on the grounds that Quemetco is out of compliance with Rule 1402.</p> <p>Rule 1402 requires that facilities with an approved HRA reduce their risk as quickly as possible within three years. The AQMD approved an HRA to represent Quemetco on October 2, 2002, triggering Public Notice (pursuant to AB 2588 procedures) and Risk Reduction (pursuant to AQMD Rule 1402).</p> <p>The Public Notice was mailed on January 14, 2003 and the corresponding Public Meeting was held on January 29, 2003. During the Public Meeting, AQMD staff offered to establish an Environmental Justice Council to address community concerns and comments received. Moreover, AQMD staff committed to performing a source test to validate Quemetco's source tests.</p> <p>During the Public Meeting and subsequent Environmental Justice Councils, the Council (including AQMD staff, Quemetco, and community members) agreed that the approved HRA should be modified to include new meteorological data, new source tests results (including the AQMD source test results), and elevated receptors. These modifications have reduced the overall cancer and hazard index risks (below Rule 1402 thresholds) and changed the notification area (or risk contour) dramatically. AQMD staff volunteered to validate the modified HRA with a third party review.</p> <p>Pursuant to AQMD Rule 1402, Quemetco submitted a Risk Reduction Plan on April 25, 2003. (Because of source testing issues, Quemetco asked for (and was granted) a one month extension to submit their Risk Reduction Plan.) Mainly because of the evolving risk contour, AQMD staff (with concurrence from Quemetco) chose to postpone Risk Reduction activities on July 25, 2003. This postponement is important because Quemetco's Risk Reduction Plan was designed around the October 2002 approved HRA and does not address the latest modifications to their HRA. On October 28, 2005, the AQMD sent a letter to Quemetco to resume Public Notice and Risk Re-</p>

Comment (Transcript Text and Page No.)	Response
	<p>duction.</p> <p>The third party review produced two significant comments: use of incorrect elevations and cancer burden. The HRA was revised again to correct the elevations, which further reduced the overall risks (further below Rule 1402 thresholds), but did not change the risk contour much more. The cancer burden was a long standing deficiency (from the first HRA). When formally calculated, the cancer burden was estimated to be 1.15 (triggering the Rule 1402 risk reduction requirements again).</p> <p>Currently, the potential for volatile organic compounds evaporating from the petroleum coke used in the pot furnaces is under investigation. It was not addressed in any of the previous HRAs. This investigation has a high priority with AQMD and Quemetco staff and is proceeding as quickly as possible. AQMD has conducted source tests in November 2005 for these potential emission sources. The results of the source tests will be incorporated into the current HRA.</p> <p>AQMD staff takes Quemetco, community concerns, and the AB 2588 process seriously. The gravity of this project is evident in the extra time and actions deemed necessary and taken to complete this process. No other AB 2588 facility has been subjected to an Environmental Justice Council, the use of local meteorology or elevated receptors, third party review, or AQMD validation of their source tests. Much effort and many major activities have gone on over the last three years. Quemetco has been notified on October 28, 2005 of the conditional approval of the HRA and a Public Notification Meeting has been scheduled.</p>
E10	
<p>[THERE ARE SCHOOLS THAT THE AQMD HAS LISTED AS BEING WITHIN 1500 METERS OF THIS FACILITY]. YOU MIGHT NOTE THAT, FOR EXAMPLE, HACIENDA CHRISTIAN SEEMS TO HAVE MICR OF NEARLY EIGHT, MEANING A RISK THAT NEARLY EIGHT PEOPLE IN A MILLION WOULD GET CANCER BECAUSE OF THE AIR EMISSIONS FROM QUEMETCO. THERE'S ALSO THESE FACILITIES, WHICH ARE NURSING HOME FACILITIES, THAT THE DISTRICT HAS IDENTIFIED, AND THEY HAVE SIMILARLY SIGNIFICANT CANCER RATES. THERE ISN'T ANY INFORMATION ABOUT THE CANCER BURDEN, WHICH IS ONE OF THE THINGS THAT THEY NEED TO ADDRESS FOR COMPLIANCE. THE QUESTION THAT I HAVE TO ASK IS HOW LONG WOULD THIS PROCESS CONTINUE? IN THE MEANTIME IT DOESN'T SEEM THAT THERE' IS MUCH RELIEF FOR THE HEALTH BURDEN AS THIS PROCESS DRAGS ON.</p>	<p>By definition, the Maximum Individual Cancer Risk (MICR) is the probability of contracting cancer. So the second sentence ("a risk that nearly eight people in a million would get cancer") should read "a risk of eight <u>chances</u> in one million that someone <u>might</u> get cancer." Furthermore, it should be understood that the MICR is actually a range from zero to the highest calculated value (or the "maximum"). With the safety factors and conservative assumptions, the risk is more likely to be somewhat less than the maximum calculated.</p> <p>By definition, the cancer burden is a population-weighted calculation and is based on the one-in-one-million isopleth. Cancer burdens are not designed (or</p>

Comment (Transcript Text and Page No.)	Response
	<p>calculated) for individual receptors, such as schools and other sensitive receptors.</p> <p>As discussed above, many extra requirements and actions have been placed on Quemetco. Quemetco has been notified on October 28, 2005 of the conditional approval of the HRA and pursuant to Rule 1402, has up to 180 days to submit a Risk Reduction Plan (RRP) and up to 3 years to implement it.</p> <p>In the meantime, Quemetco has not been idle. Since the initial HRA (approved October 2002), Quemetco has upgraded the Busch units bags and HEPA filters (to reduce particulate emissions), added an electronic scale as part of the loading process (to establish an automated feed tracking mechanism), and agreed to not burn free rubber and plastics in the furnaces. And, depending upon the final approved HRA and subsequent Risk Reduction (as triggered by a cancer burden of 1.15), more risk reduction activities will be required.</p>
E11	
<p>MY SECOND POINT IS GOING TO BE THAT CLEARLY WRITTEN PERMITS ARE A CORNERSTONE OF THE TITLE V PROGRAM, BUT CONDITIONS IN THE PROPOSED PERMIT LACK THE CLARITY REQUIRED BY FEDERAL LAW. IT'S A LARGE PERMIT, MORE THAN A HUNDRED PAGES. AND SO I'M GOING TO HIGHLIGHT SOME OF THE CONDITIONS THAT ARE TOO VAGUE TO BE ENFORCEABLE. THEY USE LANGUAGE "IN A MANNER APPROVED BY THE DISTRICT", WHICH IS NOT ENFORCEABLE. CONDITION NO. S53.1, THIS CONDITION HERE SAYS THEY WILL SEPARATE THE PLASTIC TO THE MAXIMUM EXTENT PHYSICALLY POSSIBLE BY THE PERMITTED EQUIPMENT CONFIGURATION. WHAT IS THE MAXIMUM EXTENT PHYSICALLY POSSIBLE? WHAT IS THE RATE FOR THIS EQUIPMENT CONFIGURATION? HOW DO WE KNOW, AS WE LOOK AT THIS PERMIT, WHETHER OR NOT THEY HAVE ACTUALLY ACHIEVED THE MAXIMUM EXTENT PHYSICALLY POSSIBLE OR SOMETHING LESS THAN THAT? HOW DOES THE FACILITY KNOW WHEN THEY'VE ACHIEVED THAT RATE? CONDITION NO. B59.2, WITH THE EXCEPTION OF THE SPECIFIC MATERIALS LISTED IN THIS PERMIT, TO WHAT DOES THAT REFER? HOW ARE WE SUPPOSED TO KNOW? WE'RE SUPPOSED TO COMB THROUGH THE MORE THAN 130 PAGES OF THIS PERMIT TO UNDERSTAND THE SPECIFIC MATERIALS THAT ARE LISTED IN THIS PERMIT THAT ARE EXEMPT FROM THIS PROVISION. CONDITION NO. B163.2 SAYS MATERIALS CONTAINING THE FOLLOWING. THERE ARE ISSUES ABOUT PETROLEUM COKE. IF IT'S CONTAINED IN THERE, IS THAT ENOUGH SO THAT YOU CAN USE THE DIRTIER CARBON COKE OR NOT? IS IT EXEMPTED FROM BEING THERE OR NOT? THIS IS AN IMPORTANT ISSUE BECAUSE PETROLEUM COKE, MY UNDERSTANDING, HAS FAR MORE EMISSIONS OF TOXIC AIR CONTAMINANTS. CONDITION NO. B136.3. IT DOESN'T EVEN TELL US TO WHICH DEVICES IT APPLIES OR WHICH RULE IT APPLIES TO. IT ALSO INDICATES THAT RUBBER AND PLASTIC THAT IS NOT REMOVED FROM THE CRUSHER MATERIAL PROCESSED BY THE PERMITTED</p>	<p>The AQMD agrees that permits should be clear and enforceable. Staff has therefore attempted to improve the following conditions for that purpose: S53.1; B59.1; B59.2; and has added several other conditions to enhance clarity.</p> <p>The AQMD interprets the word "contained" in Conditions B163.2 and B163.3, to mean that any material fed can only contain the materials listed in the condition. Thus, if petroleum coke that contained calcined coke was fed, the calcined portion would be acceptable, but the petroleum coke added would be a violation. In short, only the materials on the list can be fed, either alone or in a mixture, provided the components of the feed mixture were materials listed as allowable. Condition B163.3 has been tagged with the appropriate devices it is applicable to.</p> <p>Regarding Condition D322.2, the AQMD understands the concern with the term "excessive build-up" and its enforceability. This is a new condition and at this point there is not enough detailed information to define "excessive build-up". Still, the AQMD felt it was beneficial to include it in the permit as it recognizes the fact that proper maintenance of the rotary dryer is important and may help mitigate potential nuisance odors.</p>

Comment (Transcript Text and Page No.)	Response
<p>BATTERY CRUSHING AND MATERIALS SEPARATION SYSTEM IS ONE OF THE THINGS THAT CAN GO IN HERE. THE OTHER THING THAT IT INDICATED WAS RUBBER FROM</p> <p>THE BATTERIES. I DON'T KNOW HOW TO GO BACK. BUT MY POINT IS IF THEY'VE GOT A CONDITION THAT SAYS THEY CAN'T PUT IT IN THERE, BUT THEY'VE GOT A FOLLOW-UP CONDITION THAT SAYS IT'S OKAY IF IT GETS IN THERE, IT SEEMS TO ME THAT IT'S AT A VERY MINIMUM UNCLEAR ABOUT WHAT HAPPENS AND WHETHER OR NOT THEY CAN HIDE BEHIND THAT IF SOMEONE WERE TO CLAIM IT WAS PROBLEMATIC THAT THERE WAS RUBBER AND PLASTIC IN THE PROCESS.</p> <p>Pgs. 56, 57, 58, 59, 60</p>	
<p>E12</p>	
<p>RULE NO. 1407 IS AN IMPORTANT RULE ABOUT THE CONTROL OF EMISSIONS FROM THIS FACILITY. THEY SAY IN THEIR PERMIT CONDITION THAT THE FACILITY IS GOING TO BE OPERATED IN COMPLIANCE WITH (D)(1), (D)(3), (D)(5), (E), AND (G). AND I LOOKED AT THAT AND THOUGHT, WELL, WHAT HAPPENED TO (D)(2)? WHY DOESN'T THAT APPLY? (D)(2) IS A CONDITION THAT'S ABOUT THE GASES BEING VENTED TO A CONTROL DEVICE WITH 99 PERCENT REDUCTION IN PARTICULATE MATTER. I ALSO NOTED THAT THEY'VE GOT THIS EXEMPTION OF THE TEMPERATURE REQUIREMENT TO RULE 1407. WHY DOESN'T THE TEMPERATURE REQUIREMENT IN RULE 1407 APPLY? IF IT'S NOT THAT REQUIREMENT, WHAT IS THE REQUIREMENT? THE RULE INDICATES THAT THEY HAVE TO DEMONSTRATE THAT THERE HAD BEEN THIS 99-PERCENT EFFICIENCY, AND IT HAD TO BE APPROVED BY THE DISTRICT AND BE DONE IN WRITING, BUT THAT'S NOT INCLUDED IN THE PERMIT.</p> <p>Pgs. 58, 59</p>	<p>Rule 1407 (i)(6) allows a facility, in lieu of complying with the 99 percent control efficiency on particulate matter in (d)(2), to achieve 98 percent control efficiency for lead; in short, achieving a 98 percent or greater efficiency on lead (a particulate) is deemed equivalent to the 99 percent efficiency for total particulate. As far as 1407(d)(3) is concerned, there is allowance for a higher temperature provided the 99 percent efficiency in (d)(2) (or the equivalent 98 percent on lead) is not compromised. In conditions C6.1 thru C6.3, , all but one of the required temperatures are below the 360 degrees Fahrenheit required in Rule 1407(d)(3).</p> <p>All this said, each of baghouses associated with these conditions had achieved efficiencies in excess of 99 percent on lead.</p>
<p>E13</p>	
<p>CONDITION D322.2 SAYS THIS REPORT SHALL BE PRESENTED TO AQMD PERSONNEL UPON REQUEST. I'M JUST WONDERING HOW DO WE GET A COPY OF THESE COMPLIANCE RECORDS? I SEE THAT THEY HAVE TO GIVE THEM TO YOU, BUT WHAT IF I WANTED TO FIND OUT IF THEY WERE COMPLIANT? WHAT IF ANYBODY IN THIS ROOM WANTED TO FIND OUT WHETHER OR NOT THEY'RE COMPLYING WITH THESE RULES? HOW DO THEY GET ACCESS TO THE REPORTS THAT ARE SUPPOSED TO INDICATE THAT THEY'RE IN COMPLIANCE?</p> <p>Pg. 61</p>	<p>To obtain compliance reports, the public can make a Public Records Act request. The request form is available on the AQMD website at www.aqmd.gov or by calling 909) 396-3700.</p>
<p>E14</p>	
<p>THERE ARE SOME QUESTIONS ABOUT THINGS THAT MAY NEED TO BE ADDRESSED IN THE PERMIT. A STATEMENT FROM A REPORT SAYS THAT THEY'VE INSTALLED THIS $LoTOx$ NOx OXIDATION SYSTEM, AND THEY'RE GOING TO DO THIS GREAT SCRUBBING THING HERE. BUT THEY SAY THERE'S NO DIALED-IN CONTROL EFFICIENCY OF</p>	<p>Quemetco is subject to the provision of the Regional Clean Air Incentives Market (RECLAIM) rule which allows emissions trading with regards to NOx and SOx emissions. Under the RECLAIM program, it is allowable under certain circumstances to vary the</p>

Comment (Transcript Text and Page No.)	Response
<p>THIS SYSTEM. QUEMETCO'S INTENTION WITH THIS DEVICE IS TO PLAY THE NOX RTC MARKET TO THEIR FINANCIAL ADVANTAGE. I HOPE THAT THERE'S SOME THING THAT'S BEEN DONE TO ADDRESS THAT UNLESS YOU GUYS THINK IT'S OKAY.</p> <p>Pgs. 62, 63</p>	<p>control efficiency of this NOx control device.</p>
<p>E15</p>	
<p>NOTE THAT THIS FACILITY SEEMS TO HAVE FOUR STACKS. ONE OF THE STACKS HAS A CONDITION ON IT, AND THE OTHER OF THE STACKS DON'T SEEM TO HAVE ANY CONDITIONS ON THEM. CONDITION NO. D381.1 IS A CONDITION THAT SAYS THEY HAVE TO INSPECT FOR VISIBLE EMISSIONS. AND I JUST WONDER WHY DOESN'T IT APPLY TO ALL FOUR STACKS? ADDITIONALLY, THERE DOESN'T SEEM TO BE ANY CONTINUOUS MONITORING SYSTEMS ON THOSE STACKS. THERE'S ALSO A CONDITION D381.2 WHICH SEEMS TO BE THE SAME, BUT APPLIED TO DIFFERENT PIECES OF EQUIPMENT, AND JUST SEEMED TO BE A LITTLE BIT REDUNDANT.</p> <p>Pg. 63</p>	<p>Actually, the facility has more than four stacks or release points to atmosphere (for example, there are also an additional 9 stacks belonging to the building ventilation HEPA air pollution control systems). But in terms of the permit denotations, there are four stacks that should be designated as "S" devices. The draft permit included three (S36, S90, S41) and denoted another stack as "C24"; C24 has been changed to correctly read "S24".</p> <p>Condition D381.1 and D381.2 are applicable to monitoring of visible emissions emitted to the atmosphere. Though these two conditions seem redundant, there is a subtle difference. The D381.1 requirements are more stringent in that they are on a quarterly basis while D381.2 requirements are on an annual basis. Thus, D381.1 applies to stacks with toxic emissions and the permit has been modified to include devices S24, S41, and S90 as being subject to Condition D381.1. There are two additional baghouses that vent to atmosphere (C54 and D76), however these two devices emit the non-toxic chemical sodium carbonate and thus are subject to the less stringent condition, Condition D381.2</p>
<p>E16</p>	
<p>THIS FACILITY HAS LOTS OF BAGHOUSES WHICH THEY USE TO CONTROL THEIR EMISSIONS. THIS CONDITION NO. E193.1 HAS EXTENSIVE INFORMATION ABOUT THE MONITORING SYSTEM RELATED TO THAT BAGHOUSE. HOWEVER, IT ONLY APPLIES DIRECTLY, IT SEEMS, TO ONE OF THE MANY BAGHOUSES. THERE ARE OTHER CONDITIONS THAT APPLY TO OTHER BAGHOUSES. THIS ONE SEEMS TO ME TO BE THE MOST COMPLETE, AND I JUST WONDER WHY THERE ISN'T A UNIFORM STANDARD FOR ALL THE BAGHOUSES.</p> <p>Pg. 64</p>	<p>Condition E193.1 only applied to one baghouse because the other baghouses have equivalent monitoring requirements in the existing permit conditions. The only difference is that they are spread throughout the permit in separate conditions. This particular set of conditions was integrated into one condition so that it could be tagged with the applicable rule which applies to the EPA's CAM rule. Only the rotary dryer baghouse was thought to be subject to the CAM rule (40CFR Part 64). However, it has been subsequently determined that the rotary dryer baghouse is NOT</p>

Comment (Transcript Text and Page No.)	Response
	subject to the CAM rule since it is subject to the Federal NESHAP, therefore, Condition E193.1 has been removed.
E17	
<p>THIS FACILITY IS ALLOWED TO PROCESS 600 TONS OF MATERIAL A DAY, 1.2 MILLION POUNDS OF MATERIAL EACH DAY. AND IT SEEMS TO ME THAT IF WE WERE TO REDUCE THIS, THEN IT WOULD HAVE AN IMPACT ON THE AMOUNT OF EMISSIONS THAT WERE COMING FROM THE FACILITY. AND IF THEY WANT TO GO BACK AFTER FIVE YEARS AND FINISH UP THIS PROCESS (Rule 1402) AND THEN SHOW SOME NUMBERS. SO LET'S FIND A NUMBER BASED ON WHAT THE INFORMATION CURRENTLY EXISTS, REDUCE THEIR OUTPUT; AND IF THEY WANT TO COME BACK LATER AND GET IT BUMPED UP BECAUSE THEY CAN SHOW THAT THEY EARNED THAT, THAT'S FINE.</p> <p>Pgs. 64, 65</p>	<p>Rule 1402 does not require Quemetco to immediately reduce the emissions of toxic air contaminants from the current operation. In the future they will be required to perform these reductions in accordance with the timeline specified in Rule 1402. Though reducing throughput is a viable way to reduce emissions, other process changes can also reduce emissions such as the installation of air pollution control equipment. The AQMD will evaluate the risk reduction plan submitted by Quemetco to come into compliance with the future requirements of Rule 1402.</p>
E18	
<p>[THERE ARE] STRUCTURAL PROBLEMS WITH THE DISTRICT'S PUBLIC PARTICIPATION PROCESS. I WENT TO THE DISTRICT. I ASKED FOR A COPY OF THE PERMIT. I WAS UNABLE TO GET A COPY OF THE PERMIT. I CALLED THE TITLE V HOTLINE. I WAS DIRECTED TO, AS IT SAYS IN THE NOTICE, I WAS TOLD THEY DON'T HAVE COPIES OF THE PERMIT. I HAVE TO TALK TO THE ENGINEER. I DID THAT. I ENDED UP WITH A COPY OF THE PERMIT, BUT AT THE VERY MINIMUM IT SEEMS THAT THE NOTIFICATION THAT GOES OUT THAT INDICATES A PROCESS FOR GETTING YOUR HANDS ON A COPY OF THE PERMIT OUGHT TO WORK. I DIDN'T GO TO THE LIBRARY, SO I DON'T KNOW WHAT'S THERE, WHETHER IT'S THERE OR NOT, SO I DON'T HAVE ANY COMMENTS TO MAKE ON THAT, BUT THAT'S JUST A REPORT OF MY EXPERIENCE.</p> <p>PG. 65</p>	<p>The public notice explicitly stated who the contact person was for the purposes of the public notice. If the telephone number on the notice was first used, it would have resulted in less confusion. If your call is not answered in person, leave a message and you can be assured that the responsible person for the project will return your call. The public notice also clearly indicated that copies of the permit were located at several different public libraries. The District strives to, and will continue to, improve its level of customer service. However, it is important to remember, as stated in the public notice, that the requested information was available from various sources simultaneously.</p>
E19	
<p>THE CONDITION [ON THE POT FURNACES] DOES NOT PROHIBIT THE CHARGING OF ONE ORGANIC REAGENT, PETROLEUM COKE, WHICH IS CHARGED TO THE POT REACTOR TO THE MOLTEN LEAD METAL IN THE REFINING PROCESSES. SO THEY DON'T ACCOUNT FOR ALL OF THE EMISSIONS. THE PERMIT SHOULD LIMIT TO THE FACILITY PERMIT TO QUANTIFY THE MAXIMUM AMOUNT OF COKE ADDED TO THE POT FURNACES.</p> <p>Pg. 67</p>	<p>The AQMD is currently in the process of having the pot kettles source tested to fully assess the potential impact of the use of petroleum coke. The results will be included in the HRA for compliance with Rule 1402 and will determine the proper course of action necessary in the Risk Reduction plan as well as the necessary permit conditions to ensure compliant risk levels and other regulatory requirements are achieved.</p>

Comment (Transcript Text and Page No.)	Response
E20	
<p>PERMITTING CURRENTLY HAS HARD COPIES OF QUEMETCO RECORDS KNOWN AS FURNACE DEPARTMENT SHIFT RECORDS FOR 2002 AND THE FIRST HALF OF 2003. THESE ARE HANDWRITTEN RECORDS QUEMETCO PREVIOUSLY COMPILED DETAILING PRODUCTION AND PROBLEM INFORMATION. QUEMETCO HAS BEEN IN THE PROCESS OF ELIMINATING HARD COPIES OF PRODUCTION RECORDS AND MAINTAINING THIS INFORMATION IN ELECTRONIC FORMAT [THE PERMITTING ENGINEER] DOESN'T PARTICULARLY CARE FOR THESE KINDS OF DIGITAL RECORDS BECAUSE THEY'RE NOT COMPLETELY SECURE AND THEY'RE SUBJECT TO MANIPULATION WHICH CANNOT EASILY BE VERIFIED AND WHICH REQUIRE ENORMOUS RESOURCES ON THE PART OF GOVERNMENTAL AGENCIES TO AUDIT. I HOPE THAT'S SOMETHING THAT'S GOING TO BE ADDRESSED, NOT ONLY IN THE CONTEXT OF QUEMETCO, BUT AS THE DISTRICT WORKS ON REPORTING REQUIREMENTS, SELF-REPORTED EMISSIONS DATA FOR FACILITIES THROUGHOUT THE BASIN.</p> <p style="text-align: center;">----</p> <p>Pgs. 68, 69</p>	<p>In order to ensure that Quemetco will be accountable for their compliance records, conditions specifically designed to prevent the destruction of critical information are included in the draft permit.</p>
E21	
<p>[REGARDING] ADDRESSING THE STANDARD OPERATING PROCEDURES REQUIRED TO CONTROL TOXIC EMISSIONS FOR QUEMETCO. TO DISCUSS QUEMETCO'S COMPLIANCE PLANS SUBMITTED UNDER RULES 1420 AND 1407 OF THE AQMD. THESE COMPLIANCE PLANS ARE ALSO WHAT ARE REFERRED TO AS UNDER THE FEDERAL GUIDELINES AS STANDARD OPERATING PROCEDURES. UNDER THE FEDERAL GUIDELINES, NAMELY, 40 CFR 63, SUBPART 10, IT CLEARLY STATES THAT STANDARD OPERATING PROCEDURES SHALL DESCRIBE IN DETAIL THE MEASURES PUT IN PLACE TO CONTROL FUGITIVE DUST EMISSION SOURCES WITHIN THE AREAS OF PLANT ROADWAYS, THE BATTERY BREAKING AREA, THE FURNACE AREA, THE REFINING AND CASTING AREA, AND MATERIALS STORAGE AND HANDLING AREA. THIS IS SECTION 63.545 OF 40 CFR, PART 63, SUBPART 10. HOWEVER, THE PRESENCE OF THESE CONTROL MEASURES IN THE FIVE AREAS IS UNCLEAR IN THE QUEMETCO COMPLIANCE PLANS. IT IS OUR POSITION THAT THE COMPLIANCE PLAN SUBMITTED BY QUEMETCO CONTAINS VAGUE PROVISIONS THAT FALL SHORT OF THIS FEDERAL STANDARD. AN EXAMPLE OF SUCH PROVISION IS ITEM 5 OF QUEMETCO'S 1420 COMPLIANCE PLAN, WHICH READS, AMBIENT AIR MONITORING SHALL BE PERFORMED IN ACCORDANCE WITH THE PROTOCOL APPROVED BY AQMD. THAT'S A DIRECT QUOTE FROM THE PERMIT. HOWEVER, FOLLOWING SUCH PROVISIONS IN THE COMPLIANCE PLAN, THERE'S NO REFERENCE OR DETAILS FOR WHATEVER PROTOCOL THIS PROVISION REFERS TO. AND THIS IS JUST ONE EXAMPLE IN THE COMPLIANCE PLAN THAT'S REplete WITH CATCHALL PHRASES AND AMBIGUOUS LANGUAGE, MAKING THE PLAN TOO VAGUE TO ENSURE COMPLIANCE AND ENFORCEMENT. THE COMPLIANCE PLAN ALSO MAKES REFERENCES TO DAILY AND MONTHLY RECORD-KEEPING LOGS OF ACTIVITY SUCH AS WASHDOWNS, AND YET THESE RECORDS WERE NOT INCLUDED IN THE PLAN</p>	<p>The Lead NESHAP, Subpart X of 40 CFR Part 63, requires Standard Operating Procedures (SOPs) for the fugitive dust control and baghouse maintenance requirements. Quemetco has previously submitted this information under Rule 1407 and Rule 1420 plan applications.</p> <p>Rules 1420 and 1407 are not exactly the same as the lead NESHAP. However, collectively, their plans serve as Standard Operating Procedures (SOPs). These plans have been approved and their requirements are incorporated in the permit in various forms such as conditions citing Rules 1407 and 1420 as the basis.</p> <p>The Rule 1420 plan cited contains provisions 6,7,8,and 9 to add further clarity to the ambient air monitoring requirements. In addition, the AQMD independently maintains an offsite monitor to measure ambient lead concentrations. When a compliance plan is approved, the AQMD usually incorporates procedures, processes, standards, and/or other items that are critical in minimizing or controlling air emissions as conditions for approving the plan. However, it is impractical to include details such as how an instrument is calibrated or how each component of a control equipment is maintained. Therefore, the AQMD has historically relied on generic conditions</p>

Comment (Transcript Text and Page No.)	Response
<p>ANYWHERE THAT I COULD FIND. THERE ARE ALSO REFERENCES MADE TO MAINTAINING EMISSIONS CONTROL EQUIPMENT IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS, WHICH ARE ALSO NOT INCLUDED IN THE COMPLIANCE PLAN. GIVEN THAT THE PURPOSE OF SUCH COMPLIANCE PLANS IS TO PROVIDE THE PARAMETERS FOR QUEMETCO'S COMPLIANCE, I'M SURE THAT WE CAN ALL AGREE THAT SUCH COMPLIANCE HINGES ON THE CLARITY AND THE DETAIL OF SUCH PLANS. SECONDLY, IT IS OUR POSITION THAT QUEMETCO'S COMPLIANCE PLAN SHOULD BE FULLY INCLUDED IN THE TITLE V PERMIT IRRESPECTIVE OF HOW LONG THIS PLAN IS. THE TITLE V PERMIT IS THE DOCUMENT WHICH LEGALLY BINDS QUEMETCO TO ABIDE BY FEDERAL AND AQMD EMISSION STANDARDS. THEREFORE, IT'S OUR POSITION THAT IT ONLY MAKES SENSE THAT THE PARAMETERS OF COMPLIANCE OUTLINED IN THE COMPLIANCE PLANS THAT ARE COMMITTED TO BY QUEMETCO SHOULD ALSO BE FULLY INCLUDED IN THE TITLE V PERMIT.</p> <p>Pgs. 76, 77, 78</p>	<p>such as "maintaining equipment in good operating condition at all times" or "in accordance with manufacturer's specifications" to fill in the gaps. This practice has a proven track record in determining compliance and the AQMD believes that it will continue to serve its purpose in the future.</p>
<p>E22</p>	
<p>IN AN EFFORT TO BE GOOD CORPORATE CITIZENS OF OUR COMMUNITY, I THINK QUEMETCO SHOULD PROVIDE THAT INFORMATION TO THE CITIZENS OF CITY OF INDUSTRY, HACIENDA, AND LA PUENTE AREA. CHEMICALS THAT ARE EMITTED INTO THE AIR AND IN RELATIONSHIP TO THE QUANTITY. I WANT TO CLARIFY THAT. A HAZARDOUS MATERIAL REPORT THAT INDUSTRY IS REQUIRED TO KEEP ON-SITE FOR THE CHEMICALS IN CASE AN EMPLOYEE IS EVER SUBJECTED TO THAT PARTICULAR CHEMICAL. SO ARSENIC, FOR EXAMPLE, THERE'S 62 POUNDS PER YEAR EMITTED INTO THE AIR. HOW DOES THAT EXACTLY REACT WITH THE HUMAN BODY? AND WHAT IS THE QUANTITY REQUIRED OR NECESSARY TO START CAUSING ADVERSE REACTIONS? I WOULD LIKE THAT INFORMATION PROVIDED, AND I THINK THE ENTIRE COMMUNITY SHOULD HAVE OR BE PROVIDED WITH THAT MAILING OF THE CHEMICALS AND ITS ADVERSE EFFECTS ON THE HUMAN BODY. SO I THINK THE CORPORATE -- GOOD CORPORATE CITIZENSHIP, I THINK QUEMETCO SHOULD MAIL THAT TO PEOPLE WHO LIVE IN THE IMMEDIATE AREA, AND NOT JUST THAT ONE-MILE OR HALF-MILE CIRCLE. I THINK IT SHOULD BE EXPANDED TO POSSIBLY FIVE MILES BECAUSE THERE'S NO TELLING ON THAT PARTICULAR DAY THAT THE WIND IS BLOWING WHERE THAT CHEMICAL OR TOXIC EMISSION MIGHT END UP.</p> <p>Pg. 80</p>	<p>This comment is noted but is directed at Quemetco. Where applicable, some of this information may be included in AQMD public notices. Also, the public can obtain emissions data from the AQMD at any time through a Public Records request.</p>
<p>E23</p>	
<p>MY COMMENT WAS WITH REGARDS TO PEAK EMISSION VIOLATIONS. THERE DOESN'T SEEM TO BE ANY TYPE OF HACCP OR HAZARDOUS CRITICAL CONTROL POINT METHODS USED TO TRIGGER THE SHUTDOWN OF QUEMETCO SHOULD THERE BE A HACCP VIOLATION. WITHIN THE INDUSTRY THAT I WORK IN, THE FOOD INDUSTRY, SHOULD THE FDA, USDA FIND A HACCP VIOLATION, WE'RE CLOSED, AND WE DON'T REOPEN UNTIL WE DETERMINE WHAT PART OF THE PROCESS CREATED THAT VIOLATION. I'D LIKE TO SEE A HACCP PROGRAM INSTITUTED WITH THIS PERMIT. THAT HACCP PROGRAMS</p>	<p>The HACCP is a U.S. Food and Drug Administration standard for the food industry and does not apply to secondary lead smelters. However, other regulatory requirements that "mirror" the HACCP do exist. These include the Standard Operating Procedures (SOPs) in the Federal NESHAP as well as the AQMD's Rule 430 (Breakdown Provisions) and these requirements are included in the draft permit. There are undoubtedly more requirements for the facility in</p>

Comment (Transcript Text and Page No.)	Response
<p>NEEDS TO BE CONTROLLED BY AN OUTSIDE AGENCY AND NOT BY QUEMETCO PERSONNEL. I'D LIKE TO SEE A HACCP PROGRAM WITHIN THEIR PERMIT. Pgs 81, 82</p>	<p>regards to hazardous materials and their containment through the DTSC, the Fire Department, and other governmental entities.</p>
<p>E24</p>	
<p>THERE IS A ONE TECHNICAL POINT HERE ON THE ANNUAL EMISSIONS. IF YOU WILL NOTICE ON HERE, FOR EXAMPLE, ON PAGE 3 OF THE HANDOUT, THE VOC'S, THE VOLATILE ORGANIC COMPOUNDS. QUEMETCO IS EMITTING 41 TONS OF THIS A YEAR, AND THE STANDARD, TITLE V STANDARD, IS EIGHT. THAT'S OVER 500 PERCENT OF THE STANDARD. WE CAN'T -- WE CAN'T GO AHEAD WITH THE PERMIT AS LONG AS THEY CAN'T COMPLY WITH THIS. 500 -- OVER 500 PERCENT OF THE ANNUAL AMOUNT ALLOWED BY TITLE V PERMIT, AND YET THEY GO ON YEAR AFTER YEAR. Pgs. 83, 84</p>	<p>The standards cited are not absolute emission limitations. Rather, they are emission levels or thresholds that determine whether a facility is in the Title V permitting program. So, the 8 ton per year Title V threshold is used to determine who is required to have a Federal Operating Permit pursuant to Title V: those over 8 tons per year are required to have such a permit, those below the 8 ton level are not. The 8 ton per year standard does not mean that a facility subject to Title V is limited to 8 tons per year of emissions.</p>
<p>E25</p>	
<p>ALSO, ON THESE CEQA 400 FORMS, THEY CLAIM THAT THERE'S NO CLAIM OF CONFIDENTIALITY OF DATA, YET ALMOST ALL THE DATA -- I MEAN THERE'S TONS OF DATA. THERE'S -- YOU GUYS GIVE ME BLANK -- YOU CHARGE ME FOR BLANK PIECES OF PAPER THAT HAVE CONFIDENTIAL STAMPED ON THEM, AND ON THEIR FORMS THEY DON'T CLAIM CONFIDENTIALITY OF DATA. AND THEN YOU LAUGH. YOU THINK IT'S FUNNY. YOU HAVE JOHN OLVERA CALL ME OBFUSCATOR. YOU TELL ME HE'S GOING TO SEND ME A LETTER SAYING THAT I CAN'T DISCUSS WITH LAW ENFORCEMENT, EPA, DTSC, OR REGULATORY AGENCIES ALL THIS TOP SECRET INFORMATION THAT YOU CAN FIND IN BOOKS, ON THE INTERNET, QUEMETCO'S COMPETITORS ARE USING. THAT'S IN VIOLATION OF YOUR OWN WRITTEN POLICY AND STATE LAW. YOU'RE IN VIOLATION OF STATE LAW BY WITHHOLDING EVIDENCE OR DATA, DATA THAT DIRECTLY PERTAINS TO THE ALLEGED SAFETY OF THIS COMPANY. Pg. 95</p>	<p>Several public records requests for documents relating to Quemetco have been submitted. Each request has been processed, and responded to, in accordance with California law and the District's Public Records Act Guidelines.</p>
<p>E26</p>	
<p>[THE AQMD PERMITS QUEMETCO] TO POTENTIALLY BURN OVER 53 MILLION POUNDS OF PLASTIC AND RUBBER A YEAR. Pg. 96</p>	<p>The AQMD is not clear on how the number of 53 million pounds was determined. Nonetheless, significant improvements have been made in this permit regarding the amount of plastic that must be separated. Additionally, such materials separated are now prohibited from being burned.</p>
<p>E27</p>	
<p>[ON THE OLD PERMIT IT WAS REQUIRED THAT] ONCE [QUEMETCO] REACHED A CERTAIN CANCER THRESHOLD, [YOU WOULD] REDUCE THEIR THROUGHPUT TO THE</p>	<p>The previous permit conditions requiring the submit-</p>

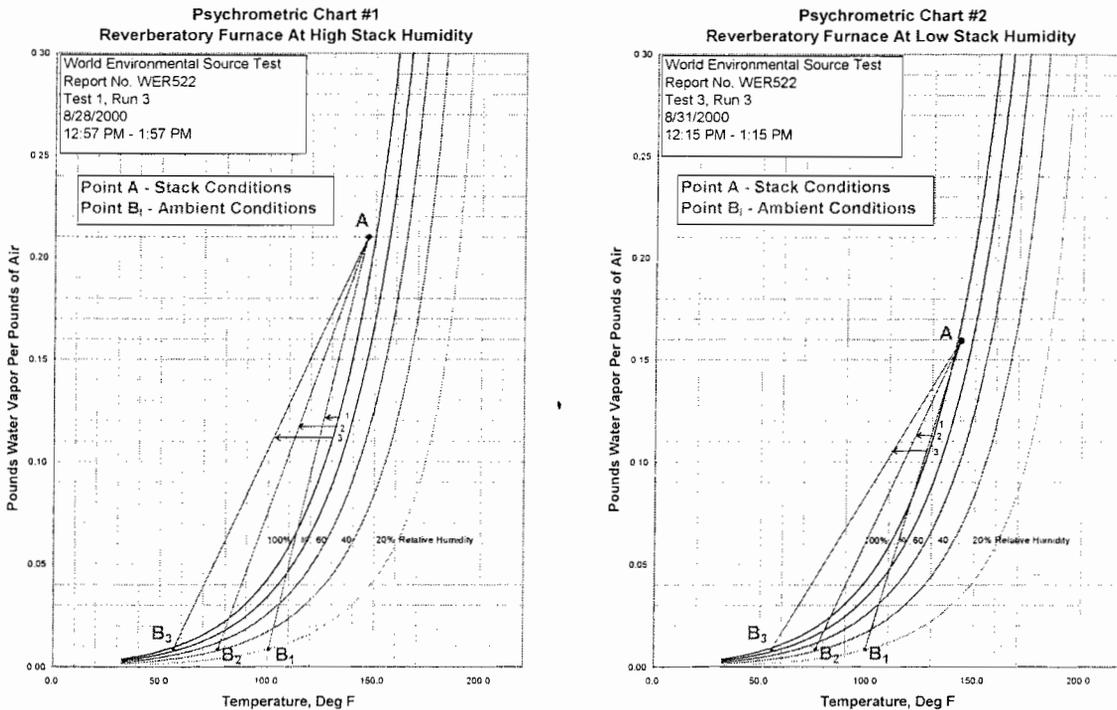
Comment (Transcript Text and Page No.)	Response
<p>FURNACE. I THOUGHT THAT WAS A CONDITION OF ONE OF THE PERMITS OF THEIRS THAT I READ IN THE PAST.</p> <p>Pg. 97</p>	<p>tal of information related to a health risk assessment related to source testing requirements became obsolete as the additional source testing and health risk assessment work was completed. The AQMD has also completed the evaluation that demonstrated that the requirements of the previous permit conditions were fulfilled. Therefore, the conditions were subsequently removed. As previously indicated, the operation at this facility has been determined to be in compliance with the requirements of Rule 1401.</p>
<p>E28</p> <p>[REGARDING SOURCE] TESTING AT 60-PERCENT CAPACITY OR WITH NOTHING COMING OUT OF THE STACK, AND TRYING TO TELL US THAT THAT'S INDICATIVE OF WHAT'S GOING ON OVER THERE IS RIDICULOUS. BOTTOM LINE IS YOU GUYS DO NOT KNOW WHAT GOES IN AND OUT OF QUEMETCO. YOU HAVE NO CONTROL OVER WHAT'S IN THOSE TRAIN CARS ROLLING IN AND OUT OF THERE.</p> <p>Pg. 98</p>	<p>It is not true that the most recent tests performed in 2003 at Quemetco were performed with equipment operating at process rates which were too low. In fact, as indicated in previous comments (see B12; E3), the tests were conducted while the dryer was operating at 97% of its permitted maximum capacity.</p> <p>A new condition has been added to the permit allowing only lead acid batteries and lead acid battery components to be processed through the crushing system. There are other permit conditions allowing only certain materials to be used and still others forbidding the use of other materials.</p>
<p>E29</p> <p>I'M URGING YOU TO NOT SIGN THIS PERMIT. IN THE PAST [THE AQMD] SAID [THEY] CANNOT REVOKE THE PERMIT, BUT YOU CERTAINLY CANNOT HAVE THE OPTION OF NOT RENEWING THIS.</p> <p>Pg. 99</p>	<p>The AQMD has no basis for revoking Quemetco's existing permit. In delaying the issuance of this newly proposed permit, Quemetco will continue to operate under their existing permit.</p> <p>The AQMD feels that this new draft permit has a number of significant improvements over the existing permit. Among these include:</p> <ul style="list-style-type: none"> • Direct Weight Measurement System for Feed Materials • Removal of Condition Allowing Separated Rubber and Plastic to be Added to the Furnace • Condition Requiring Specific Plastic Separation and Recovery • Condition Limiting Rotary Dryer Temperature • Condition Requiring Proper Maintenance of Dryer • New, More Efficient Scrubber for Battery Crusher • Restricting the Type of Feed Materials to the

Comment (Transcript Text and Page No.)	Response
	<p data-bbox="954 243 1133 275">Battery Crusher</p> <p data-bbox="862 306 1445 457">There are also other conditions that have been re-written to enhance clarity and enforceability. All of these permit changes will result in a better permit and will improve the control of Quemetco's processes and subsequent emissions.</p>

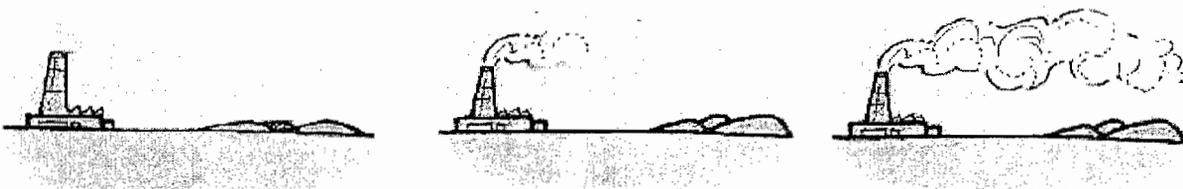
APPENDIX A

ANALYSIS OF VARIOUS STEAM PLUME CONFIGURATIONS

A detailed graphical analysis of possible steam plume configurations has been performed and the results are indicated in the following two psychrometric charts:



In these two charts, a steam plume is indicated whenever a system line (i.e., lines between Point A and Point B) exists to the left of the 100% relative humidity curve. The situation for a low stack moisture concentration (Chart #2) is represented by the following three illustrations:



Case 1

Case 2

Case 3

For the high moisture situation (Chart #1), there will always be a visible steam plume from the reverberatory furnace stack. Based on this technical analysis of the situation at Quemetco, there is a very high probability that the images of visible plumes submitted by Mr. Duncan McKee represent condensed water vapor (i.e., steam) at different conditions. This conclusion is further supported by the fact that the submitted images show that whenever there is a plume, the plume comes to a sudden and abrupt end -- characteristic of the point where the water droplets suddenly evaporate at the point of less than 100% relative humidity. As indicated above, there will be times when visible plumes do not exist during normal operation of the reverberatory furnace.

APPENDIX B:

REFERENCES

1. Carlton Engineers & Consultants letter dated, August 8, 1996, "Comparison of Reverberatory Furnace Material Balance Methodology"
2. Quemetco facsimile dated 2/10/2004 , "Daily Compliance Reports"
3. Quemetco letter dated 3/4/2005, "Quemetco Permitting Issues"
4. Quemetco, technical report received 3/15/2005: Reynolds P.E., R.M.&Hudson, E.K. (Lake Engineering, Inc., Atlanta, Georgia) and Olper, M. (Engitec Implianti, S.P.A., Milano, Italy), "Advances In Lead-Acid Battery Recycling: Engitec's Automated CX Breaker System", Edited by Mackey, T.S. and Prengaman, R.D., The Minerals, Metals, & Materials Society, 1990, pp. 1001-1022.
5. Flow charts and tables submitted by Quemetco in an office conference on 3/23/2005
6. Quemetco email and attachment documents dated 4/21/2005
7. Duncan McKee, Request for Title V public hearing and associated reference documents received on 4/14/2005, pqstmarked 4/13/2005
8. Duncan McKee letter received on 4/26/2005, postmarked 4/22/2005
9. Quemetco letter received 4/26/2005, dated 4/22/2005, "Written Comments of Quemetco, Inc., With Respect to the March 23, 2005, Draft Renewal of Title V Facility Permit to Operate..."
10. Thomas Lohff, Request for Title V public hearing received on 4/12/2005, postmarked 4/8/2005.
11. USEPA email message from Joseph Lapka dated 4/26/2005 regarding proposed Title V permit renewal for Quemetco, Inc.
12. Quemetco email messages and attachments dated 4/26/2005 and 4/28/2005 regarding the operation of the refining pot furnaces, and production data from 2003 AQMD source tests.

