



The California Asphalt Pavement Association

2021 OFFICERS March 9, 2021

Scott Fraser, Chairman
R.J. Noble Co.

Toni Carroll, Vice Chair
Graniterock

Scott Bottomley, Treasurer
Sully-Miller / Blue Diamond Materials

Jeff Benedict, Secretary
Valero Energy

Jordan Reed, Immediate Past Chair
George Reed Inc.

Ms. Susan Nakamura, Assistant Deputy Executive Officer,
Planning, Rule Development and Area Sources
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Re: Proposed Rule 1147.1 changes

Dear Ms. Nakamura:

EXECUTIVE COMMITTEE

Jordan Reed
George Reed Inc..

Toni Carroll
Graniterock

Mike Murray
Hardy & Harper

Rene Verduyssen
Knife River

Scott Fraser
R.J. Noble Co.

Scott Bottomley
Sully-Miller / Blue Diamond Materials

Jeff Benedict
Valero Energy

The California Asphalt Pavement Association (CalAPA) would like to take this opportunity to memorialize our comments and provide data to the South Coast Air Quality Management District (SCAQMD) with regard to proposed Rule 1147.1 changes covering external combustion sources, which include asphalt plant burners. Our industry has a long and proud history of implementing various technologies and best practices to reduce emissions and other impacts from our facilities in Southern California, and we appreciate the opportunity to engage with the Air District in a productive dialogue about furthering Air District goals in a manner that is both reasonable, achievable and quantifiable.

To put this matter in some context, we would like to note that, based on the California Air Resources Board (CARB) facility web page, there are 23 asphalt plants in the district, and in 2018 they emitted 0.12 tons per day, whereas under the proposed rule the Air District is seeking to achieve 5 tons per day reduction, or 2.5 percent of the total under the most optimistic of circumstances.

Russell W. Snyder, CAE
Executive Director

In numerous meetings and other communications with Air District staff over the past three years, we believe the following issues have emerged as central to the rule-making effort that merit your attention:

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- Based on our observations so far, the Air District has not gathered enough pertinent technical information to justify its proposed changes to Rule 1147.1. We respectfully request the Stationary Source Committee meeting and the public hearing dates be delayed to give the Air District and our industry time to gather, analyze and present this information, particularly in light of the significant amount of information shared during the Feb. 24, 2021 workshop.
- The implementation schedule for upgrading and retrofitting facilities should be extended. The industries covered by the aggregate dryer category is a small universe and has a limited number of equipment manufacturers to draw upon. The demand on new burners by these few manufacturers could result in delays beyond the control of the facility operator. Currently, we are only aware of only one manufacturer that is willing to provide any emissions guarantee of any type.

- Specifically, we would like to see additional information about the source test information the Air District is using to inform its thinking in this area. We are concerned that the source tests being cited do not constitute a representative sample that provides an accurate indication of what is reasonable and achievable for most plants operating in the air district. We have conducted our own survey of source test information from member companies that operate asphalt plants in Southern California and they indicate wide variability in data produced. We are still in the process of compiling this information.
- We would like to learn more about the asphalt plant manufacturer price quote cited by Air District staff, which we understand is for a new plant. If this is true this would not really be germane to this issue because the rule covers retrofit of existing plants, not new installations.
- We request clarification from the Air District with regard to the age of a burner. We have learned that there may be difficulties in determining the date of manufacture of a burner vs. the date of installation vs. the date a permit was issued, and this may impact implementation schedules. We recommend that the operating permit date should be used in this instance.
- As we understand it, the information the Air District has examined pertains to new equipment. As this is a retrofit rule it is necessary to start with an existing plant rather than starting with a new plant that can be optimized with new equipment. This was demonstrated during the “virtual” tour of an asphalt plant for Air District staff held on July 22, 2020 in Sun Valley.
- With regard to retrofits, asphalt plant manufacturers have so far not provided any guarantees that retrofitted equipment (burners, etc.) will meet a certain NOx levels discussed at Air District meetings. The concern is that the Air District will establish a target, companies will go through a lot of time and expense retrofitting equipment, and the companies still not be able to meet the target.
- We understand the Air District’s desire to achieve reductions by pushing down the NOx threshold to 25 from the current level of 40. Given the uncertainties with technology noted above, we respectfully propose that if a company invests in retrofitting a facility with the Best Available Retrofit Technology and still cannot meet the threshold, there should be a provision in the rule that allows the company to continue to operate without penalty because it has demonstrated a good-faith effort to invest in emission-reduction technologies.
- At this time we would also like to state that periodic monitoring is a much more reasonable approach vs. continuous monitoring, and we are pleased that the Air District is considering periodic monitoring. This is a much more reasonable approach as compared to continuous emission monitoring. This is due to the variability of moisture and particulate levels in the stack, which makes continuous monitoring difficult. Additionally, we are aware of only one service provider that provides continuous monitoring systems that work with asphalt plants.

MS. SUSAN NAKAMURA

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Part of the mission of our association is to educate our members about new regulations and how to comply with them. It is our experience that this educational process is lengthy, and the more time we have to conduct this outreach the better chance there will be for the Air District to achieve full compliance.

We thank you for the opportunity to provide our comments on this important matter. The California Asphalt Pavement Association, founded in 1953, is the only trade association that exclusively represents the asphalt pavement industry in California. Our members include asphalt producers, refiners, paving contractors, testing labs, consultants, equipment manufacturers and many other related companies that make up the industry.

Please feel free to contact me at (916) 791-5044 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell W. Snyder", with a long horizontal flourish extending to the right.

RUSSELL W. SNYDER, CAE
Executive Director