

December 28, 2022



Utah Air Quality Board of Directors
Utah Department of Environmental Quality
195 North 1950 West
Salt Lake City, Utah 84116

RE: Comments in Response to Proposed Rule R307-313: VOC and Blue Smoke Controls for Hot Mix Asphalt Plants

Dear Members of the Utah Air Quality Board:

Thank you for this opportunity to comment on the proposed new rule R307-313: VOC and Blue Smoke Controls for Hot Mix Asphalt Plants. Geneva Rock Products (GRP) is a privately owned, Utah-based company specializing in construction and construction materials. GRP has been providing high quality construction materials and services to Northern and Central Utah since 1954.

After reviewing the proposed rule R307-313, Geneva Rock Products submits the following comments:

1. The cost analysis drafted by the Utah Division of Air Quality (DAQ) does not reflect the actual cost incurred by GRP site(s) to implement the new blue smoke control systems. Cost of site improvements for retrofitting existing operations was not taken into consideration in DAQ's cost analysis.

The DAQ's Cost of Controls analysis estimated total initial cost of \$340,000 for the asphalt plant blue smoke control system.

GRP received estimates from an asphalt plant vendor who is familiar with the current plant on site, and knowledgeable on what is needed for a proper plant retrofit. The estimated initial cost to construct the blue smoke systems is \$1,026,000 for the asphalt plant controls. Assuming a 20-year life expectancy of the equipment, that comes out to \$51,300 annually for the equipment. With the additional estimated \$15,100 annual costs for filter replacements and \$15,000 per year of blower/ducting maintenance added, the annualized cost of the asphalt plant blue smoke control is estimated at \$81,400. DAQ expects an annual VOC decrease of 4.34 tons per asphalt plant, bringing the annual cost per ton of VOC reduction to \$18,755 for just the asphalt plant controls.

Past guidance and experience in conducting a Best Available Control Technology (BACT) analysis with DAQ would suggest these control technologies are not economically feasible. GRP requests DAQ re-evaluate their cost analysis and explore more economical and effective means of reducing VOC emissions throughout the non-attainment area. The proposed rule should not be passed until an accurate BACT analysis is completed by DAQ and the control technology is shown to be economically feasible.

2. The proposed rule as written applies to all of Weber, Davis, Salt Lake, Tooele and Utah counties. In a memo to the Utah Air Quality Board dated November 2, 2022, the DAQ states the proposed rule is driven by the redesignation of the Northern Wasatch Front nonattainment area (NWF NAA) from marginal to moderate status. The memo further states, "As a result of this redesignation, the state of Utah must identify and implement reductions of VOC emissions in the designated area as part of its SIP..."

The memo fails to explain why the proposed rule applies to operations that fall outside the designated area. All of Utah county, as well as parts of Tooele and Weber counties are not part of the EPA designated NAA for 8-hour ozone concentrations, yet these areas would be subject to the proposed rule. The rule should only apply to operations that reside within the 8-hour ozone moderate nonattainment area as designated by the EPA.

3. The compliance schedule states that owners and operators of hot mix asphalt plants shall comply with the proposed rule by May 1, 2023. This timeline is extremely unrealistic for several reasons. To responsibly retrofit existing plants with the required controls, extensive engineering work needs to be completed to evaluate electrical systems, foundations, existing structures and impact to the plant operating systems. According to equipment vendors, the lead time for the blue smoke control equipment can be anywhere from 9 to 12 months out once an order is placed. There are a select few vendors who manufacture the required control equipment. With 15 asphalt plants all ordering equipment at the same time the realistic lead times can be expected to multiply.

Another factor to consider is time of construction. The majority of this equipment cannot be constructed safely or effectively while the plants are running. The bulk of the control equipment installation will need to take place during the winter downtime months.

DAQ has verbally communicated it will exercise discretion regarding enforcement during an unspecified grace period if the source can demonstrate reasonable progress. However, there is no language in the proposed rule outlining this statement, and ultimately it will be up to the inspector and compliance manager to determine what is considered reasonable progress and if a good faith effort to comply with the rule is being made. With no language in the rule to phase in controls during realistic timelines, this compliance date poses a large undue burden of risk to asphalt plant operators.

At a minimum, GRP requests an extended installation deadline with a phased-in approach to ensure a more realistic control equipment implementation timeline.

4. Proposed rule R307-313-5. (2) (VOC Emissions from Storage Tanks) states “Emission points subject to R307-313-5 shall operate with no visible emissions...”
VOC capture equipment manufacturers have expressed that completely eliminating visible emissions during tank loading would be difficult and they would not be able to guarantee zero visible emissions even with the installation and operation of a condenser and carbon-filled vessel. GRP proposes adding the language “except during times of tank filling” to the proposed rule.

GRP appreciates the efforts made by DAQ to ensure a healthy airshed, and supports reasonable action to ensure protection of the environment and communities we live and work in. GRP looks forward to your consideration of these comments and recommendations.

Sincerely,



Bill Gammell
Property & Environmental Director