

Rio Tinto

Rio Tinto Kennecott
4700 Daybreak Parkway,
South Jordan, Utah 84009
USA
T 801-569-6200
F 801-569-6463

Jenny Esker
Environmental Engineer
Environmental

UTAH DEPARTMENT OF
ENVIRONMENTAL QUALITY

NOV 30 2018

DIVISION OF AIR QUALITY

Mr. Bryce Bird – Director
Department of Environmental Quality
Division of Air Quality – Emissions Inventory
P.O. Box 144820
Salt Lake City, Utah 84114-4820

November 30, 2018

Subject: **Kennecott Utah Copper's Comments on the Proposed Revisions to Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits and Change in Proposed Rule R307-110-17**

Dear Mr. Bird and UDAQ staff,

Kennecott Utah Copper LLC (KUC) submits the following comments on the proposed Revisions to Section IX, Control Measures for Area and Point Sources, Part H, Emission Limits and Change in Proposed Rule R307-110-17.

The current comment period is a continuation of a rulemaking that the Utah Air Quality Board (AQB) initiated in June 2018 to implement a Serious Area PM_{2.5} SIP for the Salt Lake City Nonattainment Area (SLC NAA). Public comment on the initial proposed revisions to Part H of the PM_{2.5} SIP opened on July 1, 2018. KUC submitted comments during this first public comment period regarding the measures that the Utah Division of Air Quality (UDAQ) proposed for KUC's facilities as part of the agency's Serious Area PM_{2.5} SIP for the SLC NAA.

UDAQ revised the proposed conditions in Part H and, on October 3, 2018, UDAQ requested that the AQB open Part H to a second round of public comment.¹ Several of the units addressed in these additional revisions to Part H are owned and operated by KUC. KUC comments on those specific changes as well as several other provisions in the November 1 version of Part H that are currently open for public comment.²

¹ For clarity, KUC refers to the version of Part H that UDAQ prepared in advance of the October 3, 2018 AQB meeting as the "October 3 version." During the October 3, 2018 AQB meeting, the AQB made several significant changes to the October 3 version before approving the package for public comment. KUC refers to the version containing the AQB's amendments as the "November 1 version," which coincides with the version of the proposed Part H that was opened for public comment on November 1.

² On one of the websites associated with this public comment period, UDAQ states, "[t]he only portions of this Revision open to public comment are highlighted in Red," and provides a link to the November 1 version of Part H. See <https://deq.utah.gov/air-quality/air-quality-rule-plan-changes-open-public-comment>. However, the AQB has not taken final action on any revisions of Part H and the discussion between UDAQ staff and the AQB during the October 3, 2018 AQB meeting suggested that the entirety of Part H would be open for public comment. As such, it is improper to limit public comment in the way UDAQ has suggested on its website and KUC requests that UDAQ consider the entirety of the comments submitted herein.