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UTAH DEPARTMENT OF
ENVIRONMENTAL QUALITY

OCT 31 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

October 31, 2018

Subject: **Kennecott Utah Copper Comments on Notice of Proposed Rule, Section IX, Control Measures for Area and Point Sources, Part A.31, Fine Particulate Matter**

Dear Mr. Bird and UDAQ staff,

Kennecott Utah Cooper LLC (KUC) submits the following comments on the October 1, 2018 proposed rulemaking Amend Utah State Implementation Plan, Control Measures for Area and Point Sources, Fine Particulate Matter, Serious Area PM_{2.5} SIP for the Salt Lake City, Utah Nonattainment Area, Section IX, Part A.31 (Part A.31) and the technical support document (TSD) for the same posted on the Utah Division of Air Quality's (UDAQ) website.

Comment 1:

The TSD supporting the adoption of Part A.31 of the PM_{2.5} SIP includes sections titled "Control Strategies"¹ and "*Point Source Baseline Projections, BACT"². Within the "Control Strategies" section, UDAQ has included the following BACM analyses for KUC: (1) Kennecott Utah Copper – BCM and Concentrator; (2) Kennecott Utah Copper – Power Plant; and (3) Kennecott Utah Copper – Smelter and Refinery. Within the "*Point Source Baseline Projections, BACT" section, UDAQ has included BACT workbooks for the above listed facilities. The inclusion of these documents could arguably lead to the presumption that public comment on UDAQ's BACT determinations for KUC's operations subject to the PM_{2.5} SIP as well as the technical documents supporting those determinations are subject to the current public comment period. However, KUC understands from the action taken during the October 3, 2018 Utah Air Quality Board meeting that UDAQ and the UAQB are reconsidering certain aspects of what constitutes BACT for KUC and that there will

¹ Utah Division of Air Quality, TSD's for PM_{2.5} Serious SIP Salt Lake, available at <https://deq.utah.gov/air-quality/tsds-for-pm2-5-serious-sip-salt-lake>.

² Utah Division of Air Quality, TSD's for PM_{2.5} Serious SIP Salt Lake, reference available at <https://deq.utah.gov/air-quality/tsds-for-pm2-5-serious-sip-salt-lake>, but files provided via compact disk.

be a separate comment period, beginning November 1, for additional comments on what constitutes BACT for KUC's operations. Furthermore, KUC understands that UDAQ intends to revise the BACT analyses for KUC's facilities as part of the upcoming public comment period. However, as of the filing of this letter, UDAQ has not made the revisions to the BACT analyses for KUC's facilities available.

Given this upcoming comment period and the absence of UDAQ's revisions to the BACT analyses for KUC's facilities, the appropriate time to comment on the BACT determinations for KUC's operations and the technical documents supporting those determinations is during the comment period beginning November 1, 2018. Additionally, given that UDAQ has yet to provide a copy of the revisions to the BACT analyses for KUC's facilities, KUC cannot comment on the KUC-specific portions of the TSD as part of this public comment period.

Comment 2:

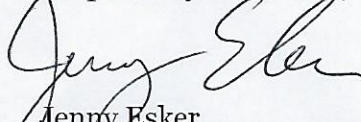
The Supplemental Analyses section of the proposed SIP discusses the August 20, 2015 Western Wildfires Exceptional Event and its impact on the attainment demonstration. UDAQ documented the event in an exceptional event demonstration which included several Utah monitors. The Rose Park monitor was not included in the exceptional event demonstration because the monitor did not exceed the standard on that date. As a result, the modeled attainment test for the Rose Park monitor falls just short of attainment, predicting a 2019 future year design value of 35.9 µg/m³.

Even though the Rose Park monitor did not exceed the standard on August 20, 2015, KUC believes that UDAQ should include the monitored result from that date in the formal exceptional event demonstration in accordance with EPA guidance. EPA allows events that do not exceed the level of the NAAQS but do contribute to an exceedance to be flagged as exceptional events and EPA guidance states they may approve such events.

KUC requests that UDAQ exclude the Rose Park monitored data from August 20, 2015 from the attainment demonstration.

Should you have any questions regarding the above comments, please contact me at 801-569-6494.

Respectfully submitted,


Jenny Esker
Environmental Engineer