

List of comments for the Lead Attainment Demonstration by last name or name of organization. The comment period closed February 14, 2011.

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13. Young

Holly Brightwell - Lead Stakeholder Comment

From: "Jill Balentine" [REDACTED]
To: <siprules@tceq.state.tx.us>
Date: 1/26/2011 9:19 PM
Subject: Lead Stakeholder Comment
CC: "Jill Balentine" [REDACTED]

To the TCEQ, Thank you for inviting informal comments regarding the Lead Air Quality concerns in Frisco, Texas. We are residents in Frisco and have lived here for 7 years. We live about 1 mile from the Exide plant that has been the subject of recent and ongoing concerns in our community. We appreciate the support from these committees and the updates online and in our local paper. We are extremely concerned about the well-being of our children above all other concerns. Our children attend elementary school within site of the smoke stacks at Exide and they will also attend Middle and High school in this same area. We are in favor of relocation of the Exide plant due to the growing concerns of lead and other cancer-causing agents that may be resulting from the production at this plant. As this community grows and becomes established with families, this type of concern is not warranted. The safety concerns are too great.

Thank you for listening to our concerns and allowing us to participate in these discussions.

Doug & Jill Balentine
[REDACTED]

From: Henry Bradbury [REDACTED]
To: <siprules@tceq.state.tx.us>
Date: 1/20/2011 9:31 AM
Subject: Lead

Greetings,

I attended the public meeting in Frisco last night, and had a couple of follow-up questions.

1. In the process used by EPA to set the NAAQS standard for lead, is cost of controls or implementation a factor that is considered?

A statement was made last night by a TCEQ representative, along the lines of that the NAAQS process that was used for establishing the new lead standard, was in essence a health study as it was to protect human health. I am attempting to understand if costs were a factor in setting this standard.

2. Could you direct me to the documentation that the standard was based on? Presume it might be a final rule or background document supporting the final rule.

Thank you,

Henry Bradbury
[REDACTED]

(personal information redacted by TCEQ for privacy)

Henry Bradbury, REM [REDACTED]

The following comments are provided in response to TCEQ request for informal comments regarding “control strategy concepts” applicable to the Collin County attainment demonstration for the 2008 National Ambient Air Quality Standard (NAAQS) for lead.

Comments

1. As TCEQ considers control strategy concepts for inclusion in their proposed Attainment Demonstration Plan, it is paramount that TCEQ’s SIP revision fully embrace and support the official position of the City of Frisco as found in the October 7, 2010 letter by City Manager George Purefoy to the citizens of Frisco regarding Exide Technologies. This letter includes the following position statement of the City of Frisco:

“Mayor Maher Maso and the Frisco City Council want you to know the city’s intent is to bring to bear all its efforts and resources to assure that the Exide plant is the most environmentally advanced plant in the country or lead the efforts to stop its operation”.

- Copy of Mr. Purefoy’s letter is available on the City of Frisco’s website: http://www.friscotexas.gov/communication/press/Documents/Purefoy_Letter_to_Citizens_Concerning_Exide.pdf

2. In developing “control strategy concepts” and the required Attainment Demonstration SIP revision, TCEQ should adopt as a minimum the requirements of California’s November, 2010 – Final rule: Emission Standards for Large Lead Acid Battery Recycling Facilities:

- These rules can be found at: <http://www.aqmd.gov/rules/reg/reg14/r1420-1.pdf>

These standards are designed to protect the public health of the citizens of California. Frisco and North Texas citizens deserve no less, and in fact demand much more stringent standards.

In fact, as noted above, the City of Frisco has clearly communicated their goal to fully protect the citizens of Frisco by assuring that the “Exide plant is the most environmentally advanced plant in the country or lead the efforts to stop its operation”.

The following two papers highlight and showcase the level of control technology and removal efficiencies demonstrated since October 2008 by the Quemetco secondary lead smelter plant located in the City of Industry, California:

- “The Tale of the Efficient Emission Remission” , by Mike Buckantz http://www.pollutionengineering.com/Articles/Feature_Article/BNP_GUID_9-5-2006_A_1000000000000876397

- “Case Study for Risk Regulation and Innovative Solutions” (Paper 2010-A-714-AWMA) by Pierre Sycip, South Coast Air Quality Management District.(SCAQMD)

Note that both papers reference that the control technologies can be applied as retrofits to existing smelter facilities. The SCAQMD paper also notes “The pollution reductions and cancer risk decreases make the technology a highly attractive option for secondary lead smelters nationwide.”

3. It must be clearly noted that for Exide’s plant in CA, consideration was provided by the Air Quality Management District not to require Exide to install control technologies equivalent to the Quemetco plant - due to local leadership wishing to preserve existing Exide jobs vs. the company’s position of leaving if required to install advanced control technologies.ⁱ

The situation in Frisco is just the opposite. The City of Frisco has made it crystal clear that it is committed to ensure that the Exide plant be “the most environmentally advanced plant in the country or lead the efforts to stop its operation”.

Given the above circumstances and the fact that:

- A level of advanced control technologies has been in successful operation at the Quemetco secondary lead smelter facility since October 2008,
- At least two other secondary lead smelters (Indianapolis, IN/scheduled to be on line end of 2011 and Middletown, NY/scheduled to be on line late 2012/early2013) are in the process of installing similar levels of control technology as demonstrated Quemetco,
- At the time that the CA Air Quality Management District (AQMD) reviewed Exide’s facility in 2008, its actual lead emissions according to the EPA TRI report were 2,458 lbs/yearⁱⁱ, approximately one-half that of Exide’s Frisco facility’s 2008 lead emissions of 4,800 lbs/year. The higher emissions of the Frisco facility creates a more economical per ton cost for lead removal than was reviewed by the CA AQMD,

TCEQ should require overall control technologies at least equivalent to the Quemetco plant when developing the Reasonable Available Control Measure for the Collin County lead attainment demonstration.

4. To provide TCEQ a better understanding of the Frisco community’s expectations regarding emission controls for the Exide facility, it is recommended that another stakeholder meeting be scheduled as soon as possible in Frisco. It would be most helpful to the community if the meeting was held with the Frisco City Council in attendance and included appropriate representatives of USEPA.

The initial Lead Stakeholder meeting held on January 19, 2011, did not have adequate notice or publication to effectively inform the affected persons in Frisco, and Collin and Denton Counties, to give them a reasonable opportunity to attend.

Moreover, the presentation by the TCEQ was lacking in clarity regarding the SIP process, and utterly failed to provide the attendees at that meeting information in a manner which was understandableⁱⁱⁱ and which could be responded to by the thousands of affected citizens in Collin and Denton Counties. Individuals in west Frisco as well as Little Elm, at a minimum, deserve notice since this facility has been operating and emitting lead and other contaminants into the atmosphere since 1964.

ⁱ "Plant manager Corey Vodvarka told South Coast officials that using the new technology would "threaten the economic viability of the Exide Vernon, CA. recycling facility and Exide would have to consider the alternative of expanding operations at its other recycling facilities outside of California.", Los Angeles Times, Toxic Lead Pollution in L.A.: Two Battery Recyclers Beg to Differ, 11/9/2010.

ⁱⁱ http://iaspub.epa.gov/enviro/tris_control.tris_print?tris_id=90058GNBNC2717S

ⁱⁱⁱ "Meeting on lead pollution brings more questions than answers in Frisco", Dallas Morning News, 1/20/11 <http://www.dallasnews.com/news/community-news/frisco/headlines/20110120-meeting-on-lead-pollution-brings-more-questions-than-answers-in-frisco.ece>

From: Laura Chollick [REDACTED] *personal information redacted by TCEQ for privacy)*

To: <siprules@tceq.state.tx.us>

Date: 1/20/2011 8:25 AM

Subject: Lead in air

Please Please Please do something about the amount of lead in the air. Frisco has been a great home for us, but there are many who are concerned enough to move because of this matter. Thank you, Laura Chollick

"The person who says it cannot be done should not interrupt the person doing it"

Holly Brightwell - Lead Stakeholders- Frisco, TX

From: "Traci Churchman" [REDACTED]
To: <Holly.brightwell@tceq.texas.gov>
Date: 1/21/2011 11:11 PM
Subject: Lead Stakeholders- Frisco, TX

Ms. Brightwell,

Unfortunately, I was unable to attend the meeting held recently in Frisco, TX. However, I would like to add my comments pertaining to the lead emissions and the non attainment area surrounding the Exide plant.

It is stated in the presentation document from the recent meeting on the TCEQ website that "Based on EPA's study on breathing air that contains lead (inhalation exposure), we would not expect lead blood concentrations to reach a level in children where adverse health effects would occur." Several families have taken advantage of the free blood testing offered by Exide and the results stated in the Dallas Morning News indicates that several young children have tested at a level of 2. Although a level 2 might not immediately show "adverse health effects" it is also a widely known medical fact that any level of lead exposure is considered unsafe. It would seem reasonable that although the EPA might "not expect" lead blood concentrations to reach a high level there should be provisions in place for the appropriate actions when any level is present considering it is often not until years later that the actual health concern might present itself.

After discussing this very issue with our family pediatrician it was suggested that we consistently hose off any outdoor play equipment in an effort to greatly diminish the possible exposure to lead dust that could potentially be coating outdoor play equipment. The pediatrician also recommended bringing this practice to the attention of the preschool that my child attends since it does fall within very close proximity to the designated non-attainment area. Of course, it is understood that the youngest children are of greatest risk and since many young children have their fingers in their mouths they are not only exposed to lead by inhalation but by actual ingestion of lead based dust. There are several preschools within very close proximity to the non-attainment area not to mention many homes within the actual area. Additionally, Frisco High School falls within the limits and certainly there are a very large number of students that spend extensive time outdoors. Implementing the hosing off practice appears to be a very simplistic approach although if it is effective at providing an immediate reduction in the lead exposure it should be brought to the attention of not only citizens but to the schools as well.

It is my understanding that the state of California has had great success with some sort of filter device to diminish the actual level of lead emissions from battery plants. Is this a consideration for the Exide plant?

It is a very lengthy process to meet the new stricter guidelines and I would like to see immediate steps taken to begin safeguarding the health of our youngest citizens; waiting additional years to provide a solution is not reasonable based on how densely populated the city of Frisco is. The fact that a high school is within the non-attainment area should be motivation enough to expedite putting into practice at least some methods that could provide an immediate reduction in the lead emissions effecting the city.

Would it be possible to require a graduated scale of compliance for the plant? Perhaps at the six month mark they would need to meet a certain level and at a bi-annual rate thereafter they would need to show additional improvements in emissions until complete compliance with the new stricter air quality levels have been reached.

Clearly, I'm not a scientist but as a citizen of Frisco and a parent of young children I am very concerned about the long reaching health effects. Certainly reducing exposure sooner rather than later is in the best interest of all people.

Traci Churchman
[REDACTED]

From: <MICHAEL.DEPOT [REDACTED]>
To: <siprules@tceq.state.tx.us>
Date: 1/20/2011 9:39 AM
Subject: Lead Stakeholder Comment

Dear TCEQ,

Frisco is a very different town since the battery recycling plant now owned by Exide Technologies began operations. The City of Frisco allowed the development of a library, sports complexes, a high school, churches and residential neighborhoods within a 1-mile radius of the plant. This falsely gave the residents of Frisco, new and old, a false sense of safety regarding living, working and playing within the proximity of a lead smelter. Studies continue to discover the negative health effects of lead exposure and other pollutants at any level especially in children. With such a high concentration of young children in Frisco, I see no other solution than immediate operation curtailments leading to permanent shutdown and relocation.

Sincerely,

Michael Depot
[REDACTED]

Frisco, TX [REDACTED] *(personal information redacted by TCEQ for privacy)*

Holly Brightwell

Texas Commission on Environmental Quality

P.O. Box 13087, MC-206

Austin, TX 78711-3087

Dear Ms. Brightwell,

Thank you for the opportunity to provide comments on air pollution control strategies for the Collin County lead attainment demonstration. We appreciate TCEQ's efforts to address the Frisco lead nonattainment area and solicit comments on potential control measures that could be employed to reduce lead emissions and bring the area into attainment for the ambient air quality standard. Any control measures identified through this process should be considered as part of the State's Reasonable Available Control Measures (RACM) demonstration. We also recommend referring to our document titled "Lead Guideline Document" dated April, 1993 for additional information on controls that should be considered in your RACM analysis.

We look forward to continuing our work with you to address air pollution from lead. If you have any questions please contact Emad Shahin of my staff at (214) 665-6717.

Sincerely,

Guy Donaldson, Chief, Air Planning Section, USEPA, Region 6

From: Raj Gopisetty <[REDACTED]> *(personal information redacted by TCEQ for privacy)*
To: <siprules@tceq.state.tx.us>
Date: 1/20/2011 10:42 AM
Subject: Exide pollution

Hi,

I am a Frisco resident and I don't understand why it's OK for Exide not to reach acceptable levels of lead pollution till 2015? Does that mean it's OK to poison children in Frisco for next few years? I am really regretting buying a home in Frisco since the homes are sold even a mile away from the plant. I believe all plant operations should be suspended immediately to save the children around it.

Thanks
Raj Gopisetty

Carolyn Kresek-Lis

Frisco, TX

(personal information redacted by TCEQ for privacy)

January 20, 2011

Texas Commission on Environmental Quality
Attn: Holly Brightwell
P.O. Box 13087
MC-206
Austin, TX 78711-3087

RE: Lead Stakeholder Comments

Thank you for holding the Lead Stakeholders Group meeting in Frisco on January 19, 2011. I appreciate your effort to solicit public comment and inform Frisco citizens about the SIP process. Here are my SIP specific comments.

- 1) Could you please put a link to the actual Exide air permit – I believe it is 1147A – on the SIP web page?
- 2) As I understand it, you presented the timetable required by the federal government for the State of Texas to demonstrate attainment of the new lead NAAQS in the designated non-attainment area. Since this is a single-source SIP, request you expedite actual attainment by coordinating efforts with other TCEQ departments. It seems to me the long pole in the proverbial tent is how rapidly TCEQ can legally require the single-source emitter, Exide, to put in place appropriate abatement practices and equipment.
- 3) This was discussed at the meeting, but I want to reiterate concerns about modeling for the SIP. I understand the modeling is done based on the most conservative case, specifically Exide operating at their permitted level. However, the in-place air monitors are collecting data with Exide operations generally below their permitted operating tempo. I assume Exide's actual operating tempo coupled with the corresponding air monitoring data will be used in model development and algorithms.
- 4) The authors of the four other lead SIPs related to Exide plants - California, Indiana, Missouri and Pennsylvania – may be excellent resources. I hope you've

already opened avenues of communication with those states' environmental agencies.

While I don't like the Exide plant in Frisco, I'm not a proponent of relocating the plant. To me, it is just moving a problem to someone else's backyard. I am, however, a proponent of fixing the problem which, from what I learned at Wednesday's meeting, requires action beyond the SIP's scope. I urge you to take a proactive, holistic approach to the fundamental issue – eliminating potentially harmful emissions and discharges from the Exide plant. And then there is a second step assessing and remediating the human health impact to date of Exide's operations.

I do not see value in a fragmented approach to creating a SIP in isolation from the other issues involving Exide's past and future operation including health impact assessment, current and future area land use, and possible soils and water contamination. I see a real need for stakeholder participation that includes Exide, TCEQ personnel from toxicology, air, land and water departments; Texas Department of State Health Services; City of Frisco; Frisco Independent School District, and citizens.

The EPA lead non-attainment designation is an opportunity. The SIP concept as presented at the stakeholder's meeting Wednesday evening may satisfy a federal requirement, but it will not solve the problem. It would appear that a tremendous amount of time, effort and money has been invested since 1978's first lead SIP. The City of Frisco's approach to either make this the most environmentally advanced plant or lead the efforts to close it is correct. I understand that may be an idealistic approach, but without breaking paradigms we will spend another 30 years in patchwork fixes without addressing the fundamental problems.

Once again, thank you for hosting the stakeholder's meeting. I appreciate your efforts to inform the public.

Sincerely,

Carolyn Kresek Lis

2011

Hello, being a Frisco resident I am naturally concerned about the Exide plant. My concern is this; why are the only air monitors located just on the other side of the plant. The smoke stack must be close to 75 feet tall sending the contaminants into the constant breeze that we have here. It seems like the worst air quality would be "miles" away from the plant, not just a 1.3 sq mile area around the plant. I would like to see the EPA set up monitors through out the city of Frisco.

Thank you for your time,

Jeff Loetzer

[REDACTED]

(personal information redacted by TCEQ for privacy)

From: "Drew Naukam [REDACTED]" (*personal information redacted by TCEQ for privacy*)
To: <siprules@tceq.state.tx.us>
Date: 1/18/2011 3:02 PM
Subject: Lead Stakeholder Comments

To whom it may concern -

I am out of town and will miss the meeting Wednesday evening in Frisco. Thanks for providing a forum to educate Frisco residents about the status of Exide's environmental impact and the non-attainment zone in Frisco. I have a few concerns I would like addressed:

Lead Emissions - the technology exists to bring Exide's plant into acceptable tolerances for lead emissions. However, Exide has not implemented that technology. Who has the regulatory or legislative authority to mandate the installation of commercially available technology to bring the plant in to compliance with emissions guidelines?

Soil Contamination - Soil samples taken around the Exide property indicate elevated levels of lead. Can Exide be required to clean up elevated lead levels on their property, or are they only responsible for the clean up of elevated lead levels on adjacent properties? Are they responsible for soil clean up at all?

Thanks!

Drew Naukam
Frisco Resident

2011

RE: TCEQ SIP Lead for Exide Technologies in Frisco, Texas

TCEQ,

I am resident of neighboring Allen, TX and in 2008 I moved from Frisco, TX to Allen, TX in part due to the Exide plant in Frisco and its proximity to Frisco High School. I listened intently to the presentation of the updated SIP to address the new EPA .15 lead standard. The more I listened, the more I was convinced that the application of the RACT standard must include the inclusion of WESP (Wet electrostatic precipitator) and RTO (Regenerative Thermal Oxidizer) technology within the Frisco plant.

Frisco is much different city today and into the future than it was when the plant first came to the area. Frisco is consistently listed as one of the top three fastest growing residential areas in not only the State, but the Nation. The population around the plant has ballooned over 100 fold since 1970. With that growth, came a flood of children. Today over 50% of Frisco's population is school age. Additionally, over 50% of that population is under 5 years old. As you are aware, children are most susceptible to lead contamination. Frisco is literally teeming with children.

The current 1.3 square mile non-attainment zone not only encompasses several residential and business areas, but also Frisco High School and several other elementary schools, parks, the city library, Pizza Hut Park - a large 20,000 seat stadium and youth soccer complex. The human risk is extremely high surrounding the smelting plant.

In 2008, RSR technologies implemented WESP/RTO pollution control technologies at its Quemetco Secondary Lead Smelting plant in City of Industry, California. Before the plant implemented the WESP/RTO system, the plant was already utilizing similar technology to Frisco's Exide Plant. The results were more than dramatic for not only lead (99.8% reduction in emissions) but also for a host of other VOx carcinogenic substances produced as a part of secondary lead smelting.

1. Arsenic reduced - 98.3%
2. 1,3 butadiene reduced - 99.2%
3. Cadmium reduced - 91.9%
4. Chromium reduced - 81.8%
5. Dioxins reduced - 99.9%
6. Benzene reduced - 58.8%
7. Lead reduced - 99.8%
8. Formaldehyde reduced - 96.9%
9. Acetaldehyde reduced - 91.7%
10. Nickel reduced - 97.5%

These numbers are even more impressive when you consider the Quemetco plant was already using rigorous particulate and Sulfur dioxide controls. The post-project estimated cancer risk dropped by approximately 87 percent to 2.88 cancer cases in one million exposed individuals over a 70-year evaluation period.

The utilization of WESP/RTO technology does NOT represent an undue financial burden on Exide. WESP/RTO technology should be considered part and parcel of the RACT standard for secondary lead smelters especially those within large population centers such as Frisco. RSR invested approximately \$20 Million to

implementation of the WESP/RTO technology. The investment in WESP/RTO technology is minimal compared not only to the healthcare costs borne by the State associated with the reduction of Lead and VOx gases from the plant, but also the lost property tax revenues from diminished property values in the immediate area surrounding the plant and reputational value risk to the entire city of Frisco.

In summary, I urge the TCEQ to look beyond the simplistic bag adjustments and additional HEPA filter solutions as being compliant with RACT. WESP/RTO's 20+ year old technology applied to secondary lead smelters has in fact become a new standard of Reasonable Accepted Containment Technology and should be mandated as part of the Exide SIP.

Web Links supporting this position:

http://www.pollutionengineering.com/Articles/Feature_Article/BNP_GUID_9-5-2006_A_10000000000000876397

http://docs.google.com/viewer?a=v&q=cache:YgduMVw1lesJ:www.conferenceworks.net.au/slead/post-conference/1%25207%2520James%2520Campbell.doc+wesp+rto+lead+reduction&hl=en&gl=us&pid=bl&srcid=ADGEEShh0mVd9GYnns9qXjlB8TLOuJX9v9x-7UNEXect3V3WWeUF17uypWuUFIJ1yd94IhQETLzldba7HwS3XPNURU40ixRQTB69wWA9M2n8FsU6r9ghVxA62zWr4Jxd_fxIUZfv4PtW&sig=AHIEtbQYWdHQlSIq9ZvAx24Jmw0b1L255g

http://www.aqmd.gov/prdas/ab2588/pdf/Annual_Report_2009.pdf

John Parchman

[Redacted signature block]

[Redacted signature block] *(personal information redacted by TCEQ for privacy)*

From: "Shiby (Hotmail)" [REDACTED]
To: <siprules@tceq.state.tx.us>
CC: [REDACTED] *(personal information redacted by TCEQ for privacy)*
Date: 1/22/2011 11:23 AM
Subject: High Lead Levels in Children in Frisco

We were not aware of the meeting the Texas Commission on Environmental Quality (TCEQ), had and wanted to voice our concern over the high Lead levels in my family. We live in west Frisco a few miles from City hall. Last summer both my children were tested twice with very high levels of lead ranging from 13-18. The various dept. in the city of Frisco stated that was not an issue with them and no one offered to help. We in turn took matters into our own hands and contacted the Department of Health, they advised us to change our main source of water. We replaced the Brita filter with a Reverse osmosis system that caused our lead levels to come down a few points. But the water source is the same for all the residence in Frisco and also the schools, our kids at times still use the water at the school. This is a major concern for us. Not only the children are high in lead even my husband and I have high levels of lead. We go back every 10 to 12 weeks per the State health Departments recommendation and get tested.

Since this is not a common blood test that is conducted by the doctors the levels are not identified till it becomes an issue. Even though Exide has offered blood test and the results are going to a lab of the factories choice, there is no guarantee the testing/ blood analysis is conducted correctly. And the city looks like they would like to support the company's presence in our neighborhood while the rest of us suffer with high levels of lead.

It would be great if the TCEQ would do something to help us out since the city had washed their hands of the issue.

Also please let us know where we can find out about such meeting being held so we can voice our concerns too.

Thank you,
Shiby Varghese
Frisco Resident

2011

To the TCEQ,

Thank you for inviting informal comments regarding the Lead Air Quality concerns in Frisco, Texas. We are residents in Frisco and have lived here for 6 years. We live about 1 mile from the Exide plant that has been the subject of recent and ongoing concerns in our community. We appreciate the support from these committees and the updates online and in our local paper. We are extremely concerned about the well-being of our children above all other concerns. Our children attend elementary school within site of the smoke stacks at Exide and they will also attend Middle and High school in this same area. We are in favor of relocation of the Exide plant due to the growing concerns of lead and other cancer-causing agents that may be resulting from the production at this plant. As this community grows and becomes established with families, this type of concern is not warranted. The safety concerns are too great.

We hope you will heavily weigh our concerns along with many neighbors who expressed their concerns.

Chris & Kim Young

[REDACTED]
Frisco, TX [REDACTED] *(personal information redacted by TCEQ for privacy)*