

Asphalt Pavement Association of California
California Asphalt Pavement Association
California Construction & Industrial Materials Association
Associated General Contractors of California
National Asphalt Pavement Association

July 14, 2010

Derek Fukuda
San Joaquin Valley Unified Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, CA 93726-0244

Re: Best Performance Standards (BPS) for asphalt plant dryers

Dear Mr. Fukuda:

This letter responds to the San Joaquin Valley Unified Air Pollution Control District's (District) proposed Best Performance Standards (BPS) for new and modified asphalt plant dryers. The proposal has generated a number of questions and concerns from industry stakeholders. We respectfully request that the proposal be set aside until meetings between the District and industry stakeholders can be held to discuss and agree on the final documents.

As representatives of the asphalt, aggregate and construction industries, we have greatly appreciated the opportunity to work with the District and provide technical input in the development of many of its rules and policies over the years. These include technical input for rule 4309, Regulation VIII fugitive dust measures, and permitting policies for plants.

So, we were surprised to learn the District is proposing policies for new and modified asphalt plant dryers without consulting our industries'. This is particularly surprising given the many types of asphalt plants operating within the district, with many different configurations, and producing many different types of asphalt. Yet, the District appears to be proposing one-size-fits-all solutions that could be very costly and difficult for producers to comply with.

The staff report to accompany the two BPS proposals acknowledges there was only one generic notice sent in February, which did not even mention asphalt plants. And, outreach was limited to one instance. There appears to have been no effort to consult with the breadth of industry or reach out to trade associations.

In the current economic climate, with construction industry unemployment the worst that it has been in many years, we call upon the air district to move in a more deliberative manner on such a complex rule, and seek the widest possible array of input available.

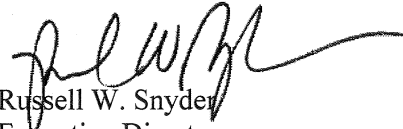
On behalf of the members of the associations listed below, we respectfully request the District withdraw the BPS proposal and schedule a meeting with industry representatives where our concerns can be raised and examined in detail.

Thank you in advance for your prompt attention to this matter.

Sincerely,



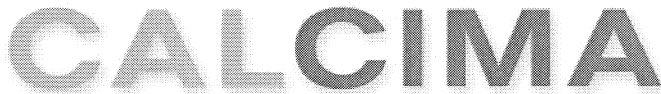
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Charley Rea
Director of Communications & Policy
California Construction & Industrial Materials Assoc (CalcIMA)
1029 J Street, #420
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The logo features the word "CALCIMA" in a large, bold, sans-serif font.

California Construction and Industrial Materials Association

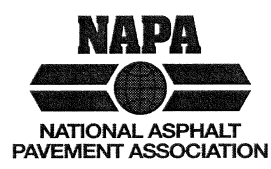


A handwritten signature in black ink that reads 'Thomas T. Holsman'.

Thomas T. Holsman
Chief Executive Officer
Associated General Contractors of California

A handwritten signature in black ink that reads 'Mike Acott'.

Mike Acott
President
National Asphalt Pavement Association
5100 Forbes Boulevard
Lanham, MD 20706
(301) 731-4748



Cc: Tony Barba – Board Chair
Steve Worthley – Board Vice Chair
Sayed Sadredlin – Executive Officer
Manuel Cunha – Chair, CAC