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WOODWARD COMPANY

A DIVISION OF THE MEAD CORPORATION
WOODWARD, ALA.

PLAINTIFF'S EXHIBIT
CAP-426

February 3, 1972

FROM: H. U. Gilmer

TO: POLLUTION CONTROL SUPERVISORS

SUBJECT:

COPY TO: Messrs., J. Bell, G.R. Carlson, D. Evans, J.R. Fenmore, W. W. Jones, Mike Matrician, N. Murad, J. McAleese, T. P. Norwood, Mike Pasturek, H. S. Savage.

Attached is information received from P. E. Wrist at Dayton to be used in Pollution Abatement Planning.

Please provide me with deadlines that had been sent by your particular State Agency for both the Air Abatement and Water Abatement.

H. U. GILMER

The next six months become a very crucial period for us since all existing air pollution sources must develop and submit to the State Air Regulatory Agency a control plan with compliance schedule to meet air quality standards.

Date of Implementation and criterion in your designated air region may vary from the national air quality standards adopted April 30, 1971 (attached) but in no instance will the local standard be less stringent or the implementation date be after June 30, 1975.*

Air Improvement activities must be brought into sharp focus and given a high priority to assure that abatement solutions selected are the most applicable to the existing problems and are as cost effective as possible.

Timing is an important factor, (many states have set June 30, 1972 as the date for receipt of control plans) because of the time required to arrive at the most acceptable decision, obtain management approval for commitment and prepare the control plan. A "check list" would include, at the least:

1. Inventory of emissions to determine sources, characteristics and treatment;

2. Determination of controls needed, including engineering drawings, cost data and fabrication and installation schedules;

3. Preparation of Company Business Plan for management review and AFE approval (dollar commitment).

4. Finalized control plans with compliance schedule for submission to the State.

Additionally, your plan will be required to include a contingency plan to cope with Emergency Air Pollution Episodes.

Further guidelines and schedules for use by Mead Operating Managers to accomplish this program are being developed and we will be communicating them to you on a regular basis.

In the meantime, we need to have response from you as soon as possible and not later than February 11 on the following questions:

1. Specific date your control plan must be submitted to the State;

2. Type of information that will be required;

3. Determination of other Air Control Agencies (city, county, regional) that will have jurisdiction over your program in addition to the State and EPA.

Will you please direct your response to R. E. Lowe in Dayton.

PEW:relk

* A 2-year extension of this deadline may be granted by the Administrator upon application by a Governor.

NATIONAL AIR QUALITY STANDARDS
(Adopted April 30, 1971)

The primary standards for sulfur oxides are 80 micrograms per cubic meter (0.03 ppm) annual arithmetic mean --- 365 micrograms per cubic meter (0.14 ppm) maximum 24-hour concentration not to be exceeded more than once a year.

Secondary sulfur oxides standards are 60 micrograms per cubic meter (0.02 ppm) annual arithmetic mean --- 260 micrograms per cubic meter (0.1 ppm) maximum 24-hour concentration not to be exceeded more than once a year --- 1,300 micrograms per cubic meter (0.5 ppm) as a maximum three-hour concentration not to be exceeded more than once a year.

Particulate matter primary standards are 75 micrograms per cubic meter annual geometric mean --- 260 micrograms per cubic meter maximum 24-hour concentration not to be exceeded more than once a year.

Particulate matter secondary standards are 60 micrograms per cubic meter annual geometric mean --- 150 micrograms per cubic meter maximum 24-hour concentration not to be exceeded more than once a year.

Carbon monoxide primary and secondary standards are 10 milligrams per cubic meter (9 ppm) maximum eight-hour concentration not to be exceeded more than once a year --- 40 milligrams per cubic meter (35 ppm) maximum one-hour concentration not to be exceeded more than once a year.

Photochemical oxidants primary and secondary standards are 160 micrograms per cubic meter (0.08 ppm) maximum one-hour concentration not to be exceeded more than once a year.

Nitrogen oxides primary and secondary standards are 100 micrograms per cubic meter (0.05 ppm) annual arithmetic mean.

Hydrocarbons primary and secondary standards are 160 micrograms per cubic meter (0.24 ppm) maximum three-hour concentration (6 to 9 a.m.) not to be exceeded more than once a year..

AIR POLLUTION

The Clean Air Act, including amendments of 1970, provides that approved ambient air standards must be achieved not later than July 1, 1975.

Criteria for suspended particulates, sulfur oxides, carbon monoxide, photochemical oxidants, nitrogen oxides, hydrocarbons and odor, for monitoring, for citizen enforcement[1], and injunctive relief through the Environmental Protection Agency are principle points of the Act.

Knowing violations can result in a fine up to $25,000 per day and/or a jail sentence of a year: with subsequent violation costs up to $50,000 and two years.

National primary and secondary ambient air quality standards were adopted by the Environmental Protection Agency on April 30, 1971. All states were required to submit Implementation Plans to EPA not later than January 31, 1972. Control Plans with compliance schedules for existing sources must be submitted to the State not later than June 30, 1972.

Air quality standards and dates for compliance may vary from state-to-state and in various air regions but in no case can they be less stringent than Federal standards or take longer to implement.

Primary standards are designed to protect human health. Secondary standards are to protect against adverse effects on soil, water, vegetation, materials, animals, weather, visibility, personal comfort, and well-being.

The significant and avoidable deterioration of air where the existing quality is equal to or better than that required by standard is prohibited.

Ambient air is a total of all the measurable pollutants in the air. Emission air quality standards, which will eventually replace ambient standards, are determined by measurement of pollutants at the source.

[1] The traditional defenses -- lack of standing to sue, lack of diversity of citizenship, lack of jurisdictional amount -- have been eliminated from provisions necessary for a citizen to bring suit in Federal District Court to enjoin any violations of an emission standard or emission limitation established by the Clean Air Act, the EPA Administrator, or the state.

National Emission Standards
for
Asbestos, Beryllium, Mercury
(Proposed December 7, 1971)

National emission standards for three air pollutants classified as "hazardous" --- asbestos, beryllium and mercury --- have been proposed by the Environmental Protection Agency. (Final standards are to be promulgated not later than 180 days after the December 7 date when they were proposed.)

Since asbestos, beryllium, and mercury are very different in the number and type of sources and control options available, each standard has been written in a different manner to optimize effectiveness and facilitate compliance.

The proposed standards are:

Asbestos --- Designed to minimize emissions to the atmosphere. Because there is no suitable technique for sampling and analyzing asbestos in the ambient air or in emission gases, the standards are expressed as requirements for the operation of specific control equipment; no numerical values were set.

Spraying of asbestos fireproofing and insulation would be prohibited except in certain indoor conditions where the air could be cleaned before it is released. Visible emissions in mining, manufacturing and fabrication processes would be banned. Operations most affected by the standards will be asbestos mining and milling.

Emission sources which would be subject to the proposed standards applicable to manufacturers of asbestos-containing products include: Cement, textiles, paper and board, friction products, plastics, floor tiles, gaskets, packings, roofing felts, and insulation products.

Beryllium --- Either no more than 10 grams of beryllium may be emitted by one plant within 24 hours or, in an alternate method, there must be no emissions that will cause atmospheric concentrations of beryllium to exceed a 30-day average of 0.01 microgram per cubic meter of air. A source can elect one or the other. If the emission standard is chosen, there must be periodic tests of emissions, with reports to EPA. If the ambient method is chosen, there must be air sampling with an EPA-approved network and periodic reports. The sources most affected are beryllium extraction plants, machine shops,

foundries, ceramic plants, propellant plants and incinerators disposing of toxic substances.

Mercury --- Would limit atmospheric emissions from primary mercury mines and mercury cell chloralkali plants to no more than 5 pounds of mercury per facility in 24 hours. These standards are intended to assure that an atmospheric concentration of one microgram per cubic meter of air, 30-day average, will not be exceeded. Limits for power plants burning fossil fuel were not mentioned, nor were limits for plants using mercury in other manufacturing processes, such as to make mercury batteries.

Information currently available suggests that an ambient concentration level in the air below one (1) microgram per cubic meter is sufficient to protect the public health from illness due to inhalation of mercury.