



May 23, 2019

Jack Broadbent  
Air Pollution Control Officer  
Bay Area Air Quality Management District  
375 Beale Street  
San Francisco, CA 94105

**RE: Demand BAAQMD Revoke Tri-City Rock's Permit to Operate in Fremont  
Due to Years of Violations and the Imminent Threat to the Health of Children**

Dear Mr. Broadbent,

At the meeting at BAAQMD on March 27, 2019 regarding community concerns about Tri-City Rock's pollution and permit violations at their facility in Fremont, BAAQMD confirmed that the company was in violation of their permit for all of 2017 and 2018 due to exceedances of their annual production and emission limits. We have seen no indication whatsoever that the company ever addressed these violations and therefore there is a strong likelihood the violations continue. TCR's attempt to "come into compliance" by getting a new permit that would legalize the excessive pollution – and the fact that BAAQMD seems to support this scheme – is an outrage and a threat to public health and the environment.

At the May 2<sup>nd</sup> meeting at BAAQMD, your staff claimed that your agency has no regulatory authority to revoke a permit despite years of violations unless there is an imminent public health threat. Allowing a polluter to violate their permit for years is unacceptable, endangers public health, and violates BAAQMD's mission and mandate to protect air quality and public health. BAAQMD's failure to enforce your own permit limits results in kids getting exposed to illegal and potentially harmful air pollutants. The fact that polluters know they can get away with blatant violations of their permit conditions makes a mockery of BAAQMD's permit process and mission.

However, most troubling is the claim made by your staff on May 2<sup>nd</sup> that the emissions from TCR do not pose an imminent public health threat to the kids at Stratford School. Your staff even acknowledged the imminent threat when I asked if the kids should stay in the playground and not shelter inside even when the particulates blow toward them – and Wayne Kino responded that the kids should go inside, proving our point that the emissions often do pose an imminent health threat.

Also, the NBC Bay Area news story that was aired last night included statements from kids about being exposed to TCR's emissions, and the statements prove that there indeed is a significant imminent health threat to kids at Stratford School:

***"I was playing at recess, and then a giant dust cloud came," said Charlotte Tsui, an 8 year-old-student at Stratford. "The first time, I had no clue what it was ... some of the kids start breathing really fast and start whimpering."***

***"I became worried that it may become infected, and maybe I could have the potential to become blind," Meng said, recalling doctors saying the dust scratched his eye."***

We therefore join Fremont Clean Air For Children in demanding BAAQMD immediately revoke TCR's permit due to the clearly imminent public health threat to children, and their chronic violations of air quality regulations and their permit.

Sincerely,

A handwritten signature in cursive script that reads "Bradley Angel".

Bradley Angel, Executive Director