

To: File
From: John Legg
Date: 04/19/16

John Legg
4/19/16

Subj: Class I Administrative Update to R13-1512H
Rust-Oleum Corporation, Lesage Facility, Cabell County, WV
Permit No.: R13-1512I; Plant ID No.: 011-00045

SUMMARY

On February 24, 2016, Rust-Oleum Corporation (Rust-Oleum) submitted a Class I Administrative Update (R13-1512I) for their Lesage, Cabell County, WV facility to:

- 1) Replace the methylene chloride storage tank (TK-12) with an existing tank (TK-10) having the same size, emission factors, and process as TK-12, and
- 2) Add an existing tank (TK-20) to store xylene while continuing to use the existing xylene storage tank (TK-29).
- 3) Document that a new mixing tank (TD-46) and a 5-gallon pail filling line was constructed/installed in 2015. This equipment processes a water-based paint containing no hazardous or regulated air pollutants.

On February 25, 2016, the writer was assigned as the reviewing engineer. A completeness email was issued to the company on May 25, 2016. It deemed the application complete as of February 25, 2016. The updated permit was due on May 24, 2016. (No legal advertisement was required because the application was deemed to be a class I administrative update.)

PROCESS DISCUSSION

The following information was taken from the cover letter of the permit application:

- 1) Tank TK-12 (Methylene Chloride) has been emptied and taken out of service. TK-10 is now the designated tank being used to store Methylene Chloride. There was no change in tank size, emission factors or the process.
- 2) Tank TK-20 (5,000 gallons) will be used to store xylene, in addition to Tank TK-29 which already stores xylene. The additional storage capacity provided by TK-20 is needed to process an anticipated 10,000 gallon increase in xylene throughput. Total xylene throughput for both tanks after this change is approximately 20,000 gallons per year. This is significantly below the 150,000 gallon throughput limit already allowed in section 4.1.1 of permit R13-1512H. The proposed change in xylene throughput/emissions will not exceed what is already permitted because xylene throughput for both tanks will remain at 150,000 gallons per year, i.e., Tank TK-20

will be permitted for a xylene flow rate of 20,000 gallons per year; Tank TK-29's xylene flow rate will be reduced by 20,000 gallons per year to 130,000 gallons per year; total xylene throughput for both tanks will remain at 150,000 gallons per year [(20,000 + 130,000) gallons per year].

- 3) **Informational Notice:** One (1) new 1,000 gallon mixing tank (TD-46) and one (1) 5-gallon pail filling line were installed in 2015 to process OK 811 water-based paint. OK 811 water-based paint does not contain any hazardous ingredients or regulated air pollutants. A material safety data sheet (MSDS) is provided in Attachment D to the permit application.

CHANGES IN EMISSIONS

No Change in Methylene Chloride Emissions: The replacement of the methylene chloride tank does not increase methylene chloride emissions. The replacement tank is the same size. The amount of methylene chloride use in the process will remain the same, i.e., methylene chloride usage will not increase or decrease due to the size of the storage tank. The method of control use for the storage tank will continue to be vapor balancing. Per the revised (R13-1512H) and updated (R13-1512I) permits:

- 4.1.5. Methylene chloride emissions associated with the transfer, from storage tanks to process vessels, of all material containing methylene chloride as a component, shall be controlled or minimized by the use of vapor tight vapor balance lines with each vessel and tank sealed and vapor tight during such transfer.

No Increase in Xylene PTE: Xylene's potential to emit (PTE) was permitted in R13-1512H at a throughput rate of 150,000 gallons per year. The 150,000 gallon per year xylene throughput was not increased by this update.

Rust-Oleum did estimate that for a 10,000 gallon per year throughput increase that xylene emissions would increase by 5.2 lb/yr (bulk storage tank emissions + blend tank emissions + packing & filling emissions) and 0.006 lb/hr [5.2 lb/yr x 1/(8,760 hr/yr)]. The permitted annual xylene throughput for the facility remained the same (at 150,000 gal/yr), i.e., the facility's PTE for xylene did not increase because of the permit update.

CHANGES MADE TO PERMIT R13-1512H

Attachment A to this evaluation contains a word-perfect file comparison comparing the resulting permit (R13-1512I) to permit R13-1512H.

REGULATORY APPLICABILITY

Rust-Oleum's Lesage facility is view as a minor source not subject to Title V. The facility's regulatory applicability did not change as a result of granting this class I administrative update.

Attachment A

File Comparison Generated by Wordperfect

Compare

R13-1512I to R13-2512H

Rust-Oleum Corporation's Lesage, Cabell County, WV Facility

WordPerfect Document Compare Summary

Original document: Q:\AIR_QUALITY\J_LEGG\Rust
Oleum\011-00045_PERM_13-1512H.wpd

Revised document: Q:\AIR_QUALITY\J_LEGG\Rust Oleum\011-00045_PERM_13-1512I.wpd

Deletions are shown with the following attributes and color:

~~Strikeout~~, **Blue** RGB(0,0,255).

Deleted text is shown as full text.

Insertions are shown with the following attributes and color:

Double Underline, **Redline**, **Red** RGB(255,0,0).

The document was marked with 20 Deletions, 26 Insertions, 0 Moves.

West Virginia Department of Environmental Protection

*Earl Ray Tomblin
Governor*

Division of Air Quality

*Randy C. Huffman
Cabinet Secretary*

Permit to ~~Modify~~ Update



R13-1512HI

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

**Rust-Oleum Corporation
LeSage Facility
011-00045**

*William F. Durham
Director*

Issued: ~~October 3~~ April 19, 201#6

This permit will supercede and replace Permit R13-1512GH.

Facility Location: LeSage, Cabell County, West Virginia

Mailing Address: 7850 Ohio River Rd; Lesage, WV 25537

Facility Description: Paint Product Blending and Repackaging

NAICS Codes: 325510

UTM Coordinates: 388.1 km Easting • 4,268.4 km Northing • Zone 17

Permit Type: Modification

Description of Change: Update all tank and process equipment identifications in the Emission Units Table, including the addition of two (2) 10,000 fiberglass storage tanks [TK-306 and TK-307] and two mixing tanks [TD-44 and TD-45]. 1) Tank TK-12 (Methylene Chloride) was emptied and taken out of service. TK-10 is now the designated tank being used to store Methylene Chloride. The tanks are the same size; emission factors and the process stayed the same. 2) Tank TK-20 (5,000 gallons design capacity) will be used to store Xylene, in addition to Tank TK-29. Twenty thousand gallons per year of Xylene was allowed as the annual throughput for Tank TK-20. The annual Xylene throughput for Tank TK-29 was cut by 20,000 gallons per year to 130,000 gallons per year. Xylene throughput for the tanks is based on information contained in the application's cover letter.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

The source is not subject to 45CSR30.

1.0 Emission Units

ID. No.	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
TK-1	E-TK-1	Outside Storage Tank	1994	20,000 gal	Vapor Balance
TK-2	E-TK-2	Outside Storage Tank	1994	20,000 gal	Vapor Balance
TK-3	E-TK-3	Outside Storage Tank	1994	20,000 gal	Vapor Balance
TK-4	E-TK-4	Outside Storage Tank	1994	20,000 gal	Vapor Balance
TK-5	E-TK-5	Outside Storage Tank	1994	10,000 gal	Vapor Balance
TK-6	E-TK-6	Outside Storage Tank	1994	10,000 gal	Vapor Balance
TK-7	E-TK-7	Outside Storage Tank	1994	10,000 gal	Vapor Balance
TK-8	E-TK-8	Outside Storage Tank	1994	10,000 gal	Vapor Balance
TK-9	E-TK-9	Toluene Storage Tank	1994	10,000 gal	Vapor Balance
TK-10	E-TK-10	Outside <u>Methylene Chloride</u> Storage Tank	1994	10,000 gal	Vapor Balance
TK-11	E-TK-11	Methanol Storage Tank	1994	10,000 gal	Vapor Balance
TK-12E- TK- 12 Methylene Chloride Storage Tank 1994 10,000 gal Vapor Balance TK- K-14	E-TK-14	Outside Storage Tank	1994	10,000 gal	Vapor Balance
TK-16	E-TK-16	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-17	E-TK-17	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-18	E-TK-18	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-20	E-TK-20	Outside <u>Xylene</u> Storage Tank	1994	5,000 gal	Vapor Balance
TK-21	E-TK-21	Methyl Ethyl Ketone Storage Tank	1994	5,000 gal	Vapor Balance
TK-22	E-TK-22	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-24	E-TK-24	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-25	E-TK-25	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-26	E-TK-26	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-27	E-TK-27	Outside Storage Tank		5,000 gal	None
TK-28	E-TK-28	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-29	E-TK-29	Xylene Storage Tank	1994	5,000 gal	Vapor Balance
TK-30	E-TK-30	Outside Storage Tank	1994	5,000 gal	Vapor Balance
TK-301	E-TK-301	Indoor Storage Tank		5,000 gal	Vapor Balance

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

- 2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*
- 2.3.2. 45CSR19 – *Requirements for Pre-Construction Review, Determination of Emission Offsets for Proposed New or Modified Stationary Sources of Air Pollution and Emission Trading for Intrasource Pollutants.*

2.4. Term and Renewal

- 2.4.1. This permit supercedes and replaces previously issued Permit R13-1512GH. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

- 2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-1512I, R13-1512H, R13-1512G, R13-1512F, R13-1512E, R13-1512D, R13-1512C, R13-1512B, R13-1512A, R13-1512 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to; [45CSR§§13-5.11 and 13-10.3]
- 2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;
- 2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;
- 2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality

established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.
- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(~~15~~14-15) and 45CSR13]

3.4. Recordkeeping Requirements

- 3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.
- 3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State-Enforceable only.*]

3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- 3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.
- 3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

If to the USEPA:

Associate Director
Office of Air Enforcement and Compliance Assistance-
(3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. The permittee shall not exceed the listed throughput for corresponding raw material listed in the table below on an annual basis. No volatile organic compound with a true vapor pressure of greater than or equal to 15.0 kilopascals shall be stored at this facility.—

Table 4.1.1.

Tank Number	Raw Material	Throughput (gallons/yr gal/ yr)
TK-9	Toluene (HAP)	500,000
TK-11	Methanol (HAP)	500,000
TK-12 TK-10	Methylene Chloride (HAP &TAP) (Non-VOC)	440,000
TK-21	Methyl Ethyl Ketone	710,000
TK-29	Xylene (HAP)	<u>20,000</u>
<u>TK-29</u>	<u>Xylene (HAP)</u>	<u>1530,000</u>
All outside storage tanks expect for TK-9, TK-11, TK-12 TK-10, <u>TK-20</u> , TK-21, and TK-29	Hi Sol 10	100,000
	Propylene Glycol Methyl Ether	50,000
	Dipropylene Glycol Methyl Ether	1,000,000
	Mineral Spirits	4,000,000
	Denatured Alcohol 200 Proof	500,000
	Denatured Alcohol	9,000,000
	Oxsol 100	100,000
	Poly 55% Resin (mineral based)	2,000,000
	Poly 60% Resin	2,000,000
	Poly 75% Resin	1,000,000
	Poly 55% Resin (oxsol based)	2,000,000
	Isopropanol	50,000
	Octamethylcyclotetra siloxane	100,000
	VM&P Naphtha	250,000
	Ethyl 3-Ethoxypropionate	50,000
ASSOC 140	50,000	
Soy Bean Oil	100,000	