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ENGINEERING EVALUATION / FACT SHEET

BACKGROUND INFORMATION

Application No.:	R13-2832
Plant ID No.:	081-00244
Applicant:	Marfork Coal Company (Marfork)
Facility Name:	Workman's Creek Preparation Plant
Location:	Raleigh County
SIC Code:	1222
Application Type:	Construction
Received Date:	March 5, 2010
Engineer Assigned:	Joseph Kessler
Fee Amount:	$2,000
Date Received:	March 5, 2010
Complete Date:	March 29, 2010
Due Date:	June 27, 2010
Applicant Ad Date:	March 11, 2010
Newspaper:	*The Register-Herald*
UTM's:	Easting: 467.7 km Northing: 4,192.3 km Zone: 17
Description:	Marfork is proposing to construct a 1,200 ton per hour (TPH)/10,512,000 ton per year (TPY) coal preparation plant at the site of the now-demolished Rowland Preparation Plant. Marfork is not proposing to use a thermal dryer at this plant.

DESCRIPTION OF PROCESS

Marfork is proposing to construct a 1,200 TPH standard wet wash coal preparation plant that uses magnetite as a heavy media. A detailed process flow diagram is included in the application as Attachment F.

Raw Coal Circuit

Raw coal is brought into the facility from three mine portals. Two of the portals deliver raw coal via 3,000 TPH conveyer belts (DSS-1 and GAS-1) to four 10,000 ton open stockpiles (SP1 through SP4). These stockpiles, which utilize stacking tubes, are reclaimed via an underground conveyer (RCR-1) and belted (RCT-1) to the 1,300 TPH scalping screen (S1). Reject from the

scalping screen is crushed (C1) at a maximum of 100 TPH and sent to the refuse circuit (SR-1). Pass-through from the scalping screen is conveyed by the 1,200 TPH plant feed belt (PF-1) to the wet wash circuit.

Raw coal is brought into the plant from a third mine portal via conveyer (BS-1) and sent to a 3,500 TPH scalping screen (S2). Reject from the scalping screen is sent to the refuse circuit. Pass-through from the scalping screen is either conveyed (BST-1) to a 10,000 ton raw coal silo (RC1) or conveyed to a 50,000 ton open storage pile (SP5). Raw coal from the open storage pile is reclaimed via endloader and belted (BSR1) back to the scalping screen. Raw coal form the silo is transferred to the plant feed belt.

Clean Coal Circuit

Clean coal can be transferred to three stockpiles and two silos. From the wet wash plant, coal is belted (CC-1 through CC-4) at 840 TPH to one of two 15,000 ton clean coal silos (CCS1 and CCS2) or a 15,000 ton stockpile (SP6). Clean coal from either the silos or the stockpile is reclaimed via a 4,000 TPH underground conveyer (LO-1) and sent to the rail loadout bin (BWL). Clean coal is also belted (MCC-1) to a 10,000 ton stockpile (SP7) and reclaimed via endloader and sent (MRB-1) to the rail loadout bin. Clean coal also can be belted (SB-1) from the plant to a 10,000 ton stockpile (SP8) to be reclaimed via endloader and sent back (SB-2) to the main clean coal storage circuit. Clean coal from this pile can also be direct dumped into trucks and delivered offsite.

Refuse Circuit

Refuse from the wet wash plant and from the scalping screens are conveyed (R1 through R7) at a maximum rate of 900 TPH offsite to a refuse dump area.

Numbers

The following table lists maximum throughputs of the various processes of the plant:

Table 1: Key Plant Throughputs

Circuit/Process	TPH	TPY	Comment
Raw Coal Into the Plant	9,500	14,180,000	Aggregate Three Raw Coal Circuits
Plant Feed	1,200	10,512,000	At Conveyer PF-1
Clean Coal Produced	2,520	7,358,000	Aggregate of MCC-1, CC-1, and SB-1
Clean Coal Loadout	4,300	8,358,000	Aggregate of Rail and Truck Loadouts
Refuse Circuit	900	7,475,200	
Magnetite	30	5,256	Loaded into the Magnetite Bins

PUBLIC REVIEW PROCEDURES

Public review procedures for a new minor source construction application reviewed under 45CSR13 require action items at the time of application submission and at the time an engineering evaluation and draft permit are finalized by the DAQ. The following section details compliance with the statutory and accepted procedures for public notification and public review with respect to permit application R13-2832 as required under 45CSR13.

Submission of Confidential Business Information (CBI)

Marfork did not claim any information as CBI in permit application R13-2832.

Actions Taken at Application Submission

Pursuant to §45-13-8.3a, Marfork, on March 11, 2010 placed a Class I legal advertisement in *The Register-Herald* announcing the submission of a permit application to the DAQ for the proposed facility and listing the then as-calculated potential-to-emit of each criteria pollutant. At the time of application submission, a hard copy of the permit application was made available at the DAQ Main Office in Charleston for public review and an electronic copy was also available upon request.

Actions Taken During Application Review Period

During the period of application review, the DAQ maintained an updated copy of the redacted permit application and a copy of the official file for review at the Main Office in Charleston. Generally, while an application is under review, the DAQ will not formally respond to technical comments received by the public. While the comments are taken into consideration and acted upon if appropriate, prior to the completion of a draft permit and an engineering evaluation, the DAQ generally withholds formal responses to commenters.

Actions To Be Taken at Completion of a Draft Permit and Engineering Evaluation

Pursuant to §45-13-8.5, upon the completion of a draft permit and engineering evaluation, the DAQ will place a Class 1 legal advertisement in *The Register-Herald* stating the preliminary determination regarding R13-2832. Further, Marfork will be required to, within a week of the DAQ public notice, place a "commercial display" advertisement in *The Register-Herald* and place a sign at the entrance to the site of the proposed source stating that they have applied for a permit with the DAQ. The notification requirements under Section 8.5 are applicable as the facility is considered a "synthetic minor" under 45CSR14 (see below). The placement of the advertisement by the DAQ begins a 30 day comment period during which the DAQ will accept and answer all relevant comments received concerning the proposed facility.

At this time, a copy of the draft permit and engineering evaluation shall be forwarded to EPA Region III. Copies of the application, complete file, preliminary determination and draft permit shall be available for public review during the public comment period at the DAQ Main Office in Charleston. An electronic copy of the draft permit and engineering evaluation will be made available on the DAQ website.

Acceptance of Public Comments

Comments will be accepted at any time during the review process. However, relevant and substantive technical comments shall generally only be answered (if applicable) during the 30 day public comment period after the DAQ places an advertisement stating the preliminary determination regarding R13-2832.

SITE INSPECTION

On March 25, 2010, the writer conducted an inspection of the proposed site of the Workman's Creek Coal Preparation Plant. The contact at the site was Paul McCombs, Engineer for Marfork. The site is located at the location of the old, now-demolished, Consolidation Coal Rowland Preparation Plant. According to Mr. McCombs, the Rowland plant (081-00002) was built in the 1950's and shut down in the late 1980's. A check of the database does not reveal any permits for the plant but does show an outsourced file.

The site at the time of the inspection was undergoing extensive grading and earth moving in preparation of the sinking of two new deep mines at the site. The site of the proposed prep plant itself was still strewn with the debris of the foundation and heavy media tank of the previous plant. No equipment associated with the new prep plant was visible at the site. A sign, required pursuant to 45CSR13, Section 8.5a was visible at the entrance of the plant.

The topography of the proposed location (see Attachment A to this evaluation) is a bowl shaped valley with steep hills bordering almost all sides except a gap at the northeast where Workman's Creek flows out of the valley. Because of the isolated location, it is expected that there will be no nuisance (site or noise) pollution from the plant. The nearest occupied residence is located about a quarter of a mile from the proposed plant (about a tenth of a mile from the site boundary) on Workman's Creek Road (CR 1/8). Beyond this one residence, the nearest small cluster of residences is located about a half mile from the plant on this road.

It is the view of the writer that the site selected for the proposed facility is positive in the respect that the location is isolated and not likely to have any significant nuisance impacts on local communities. Further, the remoteness of the site would tend to mitigate any potential odor or particulate fallout issues related to fence-line air pollution effects. As applied for, all raw coal will be brought into the facility by conveyer directly from two deep mines and the majority of clean coal will be removed by rail (maximum 1,000,000 tons by truck). However, significant truck traffic along Workman's Creek Road from the proposed plant is probable. The road was, at the time of the inspection, in poor shape and will require, in the writer's opinion, extensive repair prior to plant operation. While the DAQ is limited to requiring maintenance and watering of the haulroads only within the plant boundary, the draft permit will require Marfork to employ measures to reduce tracking of materials onto Workman's Creek Road to help mitigate the dust from truck traffic.

Directions to the site: From the intersection of County Route 1 (Clear Creek Road) and WV State Route 3 south of Whitesville, travel east on CR 1 for approximately 16 miles and turn right onto

Workman Branch (CR 12/4). Stay straight on CR 12/4, which quickly turns into Workman's Creek Road (CR 1/8). Travel 1.3 miles on this road to the plant gate.

EMISSIONS CALCULATION METHODOLOGIES

Emissions from material handling operations (conveyer transfer points, coal crushing and screening, haulroad traffic, storage piles, etc.) were calculated using the appropriate sections of AP-42 (AP-42 is a database of emission factors maintained by USEPA) or well-known emission factors obtained from the Air Pollution Engineering Manual. Variables within the emission factor equations, including applicable particulate matter control devices, were based on guidance provided by DAQ or on reasonable values of anticipated inherent material properties. Maximum hourly and annual emission rates were based on the maximum hourly design and limited annual throughputs of the specific equipment, as applicable.

The following table details the source of the particulate matter emission factors for each material handling source.

Table 1: Material Handling PM Emission Factor Sources

Emission Source	Emission Factor(s)	Emission Factor Source	Comments
Coal Transfer Points	0.0007 - 0.0009 lb-PM/ton-coal 0.0003 - 0.0004 lb-PM_{10}/ton-coal	AP-42, Section 13.2.4 (11/06)	Emission factor calculation includes coal moisture contents (5.5% - 6.5%) and average wind speed (7 mph).
Coal Crushing	0.0600 lb-PM/ton-crushed 0.0286 lb-PM_{10}/ton-crushed	WV G-10C General Permit Guidance	G-10C Guidance based on emission factor given in Air Pollution Engineering Manual © 1992 pp. 793 & References. Based on Secondary Crushing Factor.
Coal Screening	0.100 lb-PM/ton-crushed 0.047 lb-PM_{10}/ton-crushed	WV G-10C General Permit Guidance	G-10C Guidance based on emission factor given in Air Pollution Engineering Manual © 1992 pp. 793 & References. Based on Secondary Screening Factor.
Magnetite Silo Loading	0.72 lb-PM/ton-magnetite 0.46 lb-PM_{10}/ton-magnetite	AP-42, Section 11.12, Table 11.12-2 (6/06)	Emission factor for pneumatic loading of cement to elevated silo.
Coal Stockpile Erosion	13.37 lb-PM/day/acre 6.37 lb-PM_{10}/day/acre	WV G-10C General Permit Guidance	G-10C Guidance based on emission factor given in Air Pollution Engineering Manual © 1992 pp. 136 & References. Includes material silt content (10%), number of precipitation days (157), and percent time wind speed exceeds 12 mph (20%).
Unpaved Haulroads & Mobile Work Areas	7.66 - 14.03 lb-PM/VMT 2.26 - 5.07 lb-PM_{10}/VMT	AP-42 Section 13.2.2 (11/06)	Based on mean truck/endloader weights (37.5 - 144 tons), percent silt in road surface (10%), and number of precipitation days (157).

Unless otherwise noted in the above table, the above emission factors represent uncontrolled emissions. For calculating controlled emissions, Marfork applied, where applicable, control efficiencies to the uncontrolled emissions. The control efficiencies were generally taken from General Permit Reference Documents (list of efficiencies can be found in various general permits including Coal General Permit G10-C Reference Document pp. 11; Material Handling General Permit pp. 13).

DAQ Review of Emission Calculation Methodologies

As part of the application review process, the Marfork emissions calculation methodologies were reviewed to determine if the as-calculated potential emissions represented a reasonable site-specific emissions profile of the proposed source. To this end, it is noted that the use of specific material, roadway, and weather data by Marfork in the material handling equations is considered reasonable for the purpose of estimating the potential-to-emit of a facility for pre-construction permitting applicability purposes. The material and roadway data (moisture contents, roadway silt percentage) are considered appropriate for the specific materials in question and the type of facility. The weather data used are based on guidance from DAQ and are based on state or regional averages. Again, this data is considered appropriate for the estimation of potential-to-emit.

In conclusion, after review, the DAQ accepts the Marfork facility-wide potential-to-emit as reasonable and practically enforceable using the requirements contained in the proposed draft permit.

Emissions Summary

The following table lists the criteria pollutant potential-to-emit by plant section:

Table 2: Criteria-Pollutant Potential-to-Emit(1)

Section	Potential-To-Emit			
	PM_{10}		PM	
	lb/hr	ton/yr	lb/hr	ton/yr
Transfer Points	14.26	13.83	29.96	29.05
Crushing	0.19	0.83	0.40	1.75
Screening	45.71	67.52	96.00	141.80
Magnetite Loading	0.70	0.07	1.08	0.10
Open Stockpiles(2)	3.33	14.52	6.99	30.50
Unpaved Haulroads & Mobile Work Areas	16.10	28.07	42.31	74.68
Total Facility-Wide	80.29	124.84	176.74	277.88
Total for Major PSD/Title V Applicability Purposes(3)	n/a	96.77	n/a	203.20

(1) Marfork did not include an estimate of $PM_{2.5}$ emissions. Therefore, to be conservative, $PM_{2.5}$ emissions from this facility are considered to be equal to the PM_{10} emissions. This will be the case for all applicability purposes until such time a Marfork is able to show that $PM_{2.5}$ emissions are less than PM_{10} emissions.

(2) Open Stockpile emissions do not include any controls (as listed in the application). Controls, however, will be required under §60.254(b) pursuant to a "fugitive coal dust emissions control plan" submitted prior to startup.

(3) As noted in the REGULATORY APPLICABILITY below, for major source applicability purposes, haulroad and mobile work area emissions are not included.

REGULATORY APPLICABILITY

The proposed Marfork facility is subject to the following substantive state and federal air quality rules and regulations: 45CSR5, 45CSR7, 45CSR13, and 40 CFR 60 Subpart Y. Each applicable rule (and those that have questionable non-applicability but are determined not to be applicable), and Marfork's compliance therewith, will be discussed in detail below.

45CSR5: To Prevent and Control Air Pollution from Coal Preparation Plants, Coal Handling Operations, and Coal Refuse Disposal Operations

The coal handling operations at the proposed facility are defined as a "coal preparation plant" under §45-5-2.4 and are, therefore, subject to the applicable requirements of 45CSR5. The substantive requirements applicable are discussed below.

45CSR5 Emission of Particulate Matter - Section 3

Section 3 of 45CSR5 sets a twenty percent (20%) opacity limit on all stack and fugitive dust control systems. Marfork's proposed use of partial and full enclosures on crushing and screening operations and on all transfer points should allow them to meet this requirement.

45CSR5 Fugitive Emissions - Section 6

Section 6 of 45CSR5 requires all facilities subject to the rule to minimize emissions through the use of a fugitive dust control system. Marfork has proposed a fugitive dust control system of enclosures on belt conveyers, crushing and screening, and transfer points and the use of a water truck on unpaved haulroads. These methods are considered appropriate fugitive emissions minimization.

45CSR7: To Prevent and Control Particulate Air Pollution from Manufacturing Process Operations

45CSR7 applies to "source operations" located at "manufacturing processes" that, excluding those manufacturing processes specified under §45-7-10.5 and §45-7-10.6, have the potential-to-emit particulate matter and acid gases. The proposed Marfork coal preparation plant meets the definition of a "manufacturing process" as defined under 45CSR7. The source operations subject to 45CSR7 are the transport and loading of magnetite used in the wet cleaning operations

45CSR7 Opacity Standards - Section 3

Section 3.1 sets an opacity limit of 20% on all applicable source operations. The use of fabric filters in the magnetite bins should allow Marfork to easily meet this requirement.

45CSR7 Weight Emission Standards - Section 4

Section 4.1 of 45CSR7 requires that each manufacturing process meet a particulate matter stack emission limit based on the weight of material processed through the source operation. The emission limits are given under Table 45-7A and are based on the type source operation as defined in the Rule. The source operation subject to this standard is the pneumatic filling of the magnetite bins. This operation is controlled by use of fabric filters on the bins.

Under 45CSR7, this operation would be defined as a "type'a'" source operation with, based on an aggregate magnetite throughput of 60,000 pounds/hour, a limit of 31.4 pounds/hour. The actual potential emissions associated with filling the magnetite bins would be 1.08 pounds/hour, or less than 5% of the limit.

45CSR7 Fugitive Emissions - Section 5

Section 5.1 of Rule 7 states that each manufacturing process must include a system to minimize the emissions of fugitive particulate matter. The only fugitive source of emissions at the proposed Marfork coal preparation plant are the unpaved haulroads (when being used to transport magnetite into the facility). Marfork has proposed the use of a water truck to minimize emissions from the unpaved haulroads. This represents the minimization of fugitive particulate matter as required under 45CSR7.

45CSR13: Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation

The proposed Marfork coal preparation plant, as limited by the draft permit, has the potential-to-emit of several regulated pollutants in excess of the thresholds under §45-13-2.24(b) that define the source as a "stationary source." However, all regulated pollutants have a potential-to-emit less than the applicability thresholds, when fugitive emissions are appropriately excluded, that would define the proposed facility as a "major stationary source" under 45CSR14 (see below). Therefore, the proposed facility was defined as a synthetic minor source and reviewed pursuant to the provisions of 45CSR13.

Compliance with the public review procedures under 45CSR13 are detailed under the PUBLIC REVIEW PROCEDURES Section above.

45CSR14: Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration

The proposed Marfork coal preparation plant is located in an area classified as "in attainment" with the National Ambient Air Quality Standards (NAAQS) and, therefore, the major source status of the source is determined under 45CSR14.

The proposed coal preparation plant does not include a thermal dryer and is therefore not a source listed under §45-14-2.43.a. The threshold for defining the proposed source as a "major stationary source," pursuant to §45-14-2.43.b., is a potential-to-emit (PTE) of 250 TPY of any regulated pollutant. However, pursuant to §45-14-2.43.e., for coal preparation plants, in determining the PTE of the facility for 45CSR14 major source applicability purposes, fugitives shall only be counted from all "affected facilities" as defined under 40 CFR 60, Subpart Y.

Subpart Y defines affected facilities, for sources constructed after May 27, 2009 as "[t]hermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, transfer and loading systems, and open storage piles." This definition, in effect, brings in all emissions sources at the proposed facility with the exception of fugitives associated with unpaved haulroad emissions.

The facility, as limited by the draft permit, does not have a PTE (excluding emissions generated from unpaved haulroads) of any regulated pollutant in excess of 250 TPY and is, therefore, not defined as a "major stationary source" and is not subject to the provisions of 45CSR14. However,

the proposed source is considered a "synthetic minor" under 45CSR14. Considering emission controls, which are required by statute (45CSR5 and 40 CFR 60, Subpart Y), the particulate matter PTE of the source would be in excess of 250 TPY without the annual throughout limitations in the draft permit (*Requirement 4.1.3.*).

This is demonstrated by examining the emissions of just one emissions source - the scalping screen (S2). The design capacity of S2 is 3,500 TPH and, without a federally enforceable annual limit, the maximum annual capacity of the screen would be 30,660,000 TPY. Using the emission factor of 0.10 lb-PM/ton coal screened, the annual emissions of the screen, without the annual limit, would be 306 PTY - or a value above the major source threshold of 250 TPY of particulate matter.

45CSR30: Requirements for Operating Permits

45CSR30 provides for the establishment of a comprehensive air quality permitting system consistent with the requirements of Title V of the Clean Air Act. The proposed Marfork coal preparation plant, as proposed and limited by the draft permit, does not meet the definition of a "major source under § 112 of the Clean Air Act" as outlined under §45-30-2.26 and clarified (fugitive policy) under 45CSR30b. The as-limited facility-wide PTE of PM_{10} (excluding haluroad and mobile source area fugitive emissions) does not exceed 100 TPY. However, as the proposed facility is subject to a New Source Performance Standard (NSPS) - 40 CFR 60, Subpart Y - the facility is subject to Title V. Non-major sources subject to Title V, pursuant to DAQ policy, are deferred from having to submit a Title V application.

The facility is, however, considered a a "synthetic minor" under Title V. Considering emission controls, which are required by statute (45CSR5 and 40 CFR 60, Subpart Y), the PM_{10} PTE of the source would be in excess of 100 TPY of without the annual throughout limitations in the draft permit (*Requirement 4.1.3.*).

This is demonstrated by examining the emissions of just one emissions source - the scalping screen (S2). The design capacity of S2 is 3,500 TPH and, without a federally enforceable annual limit, the maximum annual capacity of the screen would be 30,660,000 TPY. Using the emission factor of 0.048 lb-PM_{10}/ton coal screened, the annual emissions of the screen, without the annual limit, would be 144 PTY - or a value above the major source threshold of 100 TPY of PM_{10}.

40 CFR 60, Subpart Y: Standards of Performance for Coal Preparation Plants

On October 8, 2009 the USEPA promulgated final amendments to Subpart Y that included additional requirements applicable to the Marfork facility beyond the previous version of the rule. This review includes those additional requirements.

Subpart Y contains requirements relating to the performance of coal preparation plants. Pursuant to §60.250, affected facilities under Subpart Y include "[t]hermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, transfer and loading systems, and open storage piles" located at "coal preparation and processing plants" that process greater than 200 tons per day. "Coal preparation and processing plants" is defined as "any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry

cleaning, and thermal drying." Marfork has proposed to crush, screen, and clean coal at their facility and, therefore, all coal conveying and crushing equipment and open storage piles are subject to the applicable sections of Subpart Y.

The substantive standards under Subpart Y applicable to the proposed Marfork facility are given in §60.254(b) and (c):

- A 10% opacity limit on all emission points;

- Operation of all coal open storage piles and associated conveying equipment in accordance with a fugitive coal dust emissions control plan.

Marfork's proposed use of enclosures on coal conveying and processing equipment (including crushers and screens) and coal transfer and loading systems should allow them to meet the 10% opacity limit.

Marfork will be required to submit, prior to startup, a "fugitive coal dust emissions control plan" according to the provisions of 40 CFR §60.254(b).

Marfork will be required to comply with all applicable monitoring, testing, reporting, and record-keeping requirements in Subpart Y.

TOXICITY ANALYSIS OF NON-CRITERIA REGULATED POLLUTANTS

No non-criteria regulated pollutants should be emitted, in any substantive amounts, from the proposed facility.

AIR QUALITY IMPACT ANALYSIS

The estimated maximum emissions of the proposed facility are less than applicability thresholds that would define the proposed facility as "major" under 45CSR14 and, therefore, no air quality impacts modeling analysis was required. Additionally, based on the nature and location of the proposed source, modeling was not required under 45CSR13, Section 7.

MONITORING, COMPLIANCE DEMONSTRATIONS, REPORTING, AND RECORDING OF OPERATIONS

The following substantive monitoring, compliance demonstration, and record-keeping requirements shall be required:

- For the purposes of demonstrating compliance with the emission limits given in Table 4.1.2., Marfork shall produce, upon request by the Director, and within a reasonable time-frame, calculations that show the actual emissions of the facility from the previous 12 calendar months. Actual emissions shall be calculated by using emission factors, emission modeling

software, or other appropriate emission estimation models or calculation methodologies developed, where applicable, from site-specific testing or data. In the absence of site-specific testing or data, emission factors and data used in calculating the potential emissions in the permit application shall be used. The emission factors, emission models, and other calculation methods shall be maintained current for all processes and process modifications.

- For the purposes of demonstrating continuous compliance with maximum throughput limitations set forth in the permit, designed to practically enforce the maximum potential-to-emit as calculated in the permit application, Marfork shall be required to monitor and record the monthly and rolling twelve month throughput of each material specified under Table 4.1.3. of the draft permit. [*Requirement 4.2.1.*]

- The permittee shall meet all applicable monitoring, compliance demonstration, record-keeping and reporting requirements as given under 45CSR5, 45CSR7, and 40 CFR 60, Subpart Y.

PERFORMANCE TESTING OF OPERATIONS

The following substantive testing requirements shall be required:

- Marfork shall be required to, when required by the Director, conduct or have conducted tests to determine the validity of various material and roadway properties used by the permittee in calculating the material handling emissions.

- Marfork shall be required to meet all applicable testing requirements as given under 45CSR5, 45CSR7, and 40 CFR 60, Subpart Y.

RECOMMENDATION TO DIRECTOR

The information provided in permit application R13-2832 indicates that compliance with all applicable regulations will be achieved. Therefore, I recommend to the Director the issuance of Permit Number R13-2832 to Marfork Coal Company for the construction of the Workman's Creek Preparation Plant to be located near Clear Creek, Raleigh County, WV.

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Joseph Kessler, PE
Engineer

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Date