

Engineer	Jerry Williams, P.E.
Email Address	jerry.williams@wv.gov
Company Name	X-Chem, LLC
Company ID	041-00079
Facility Name	Weston Facility
Permit Number	R13-3311
County	Lewis
Newspaper	<i>The Weston Democrat</i> <span style="color: blue;">Donna Legals 4106 269-1600</span>
Company Email and "Attention To:"	Kevin Wallace kevin.wallace@nch.com
Environmental Contact Email Address	Manuel Bautista manuel.bautista@ghd.com
Regional Office (if applicable)	NA
New or Modified Source?	new
Construction, Modification, or Relocation?	construction
Type of Facility	methanol storage and chemical handling facility
"Located" or "To Be Located"?	to be located
Place where I can find electronic versions of your notice, engineering evaluation, and draft permit	Q:\AIR_QUALITY\Willi\Permit Applications Under Review\X-Chem LLC\R13-3311 Weston Facility

*publish on wed June 22 2016  
30 days Fri July 22 2016*

# INTERNAL PERMITTING DOCUMENT TRACKING MANIFEST

Company Name   X-Chem, LLC  

Permitting Action Number   R13-3311        Total Days   42        DAQ Days   21  

**Permitting Action:**

- |                                             |                                               |                                      |
|---------------------------------------------|-----------------------------------------------|--------------------------------------|
| <input type="radio"/> Permit Determination  | <input type="radio"/> Temporary               | <input type="radio"/> Modification   |
| <input type="radio"/> General Permit        | <input type="radio"/> Relocation              | <input type="radio"/> PSD (Rule 14)  |
| <input type="radio"/> Administrative Update | <input checked="" type="radio"/> Construction | <input type="radio"/> NNSR (Rule 19) |

**Documents Attached:**

- |                                                                                                                                                                                                                                                                           |                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Engineering Evaluation/Memo<br><input checked="" type="checkbox"/> Draft Permit<br><input checked="" type="checkbox"/> Notice<br><input type="checkbox"/> Denial<br><input type="checkbox"/> Final Permit/General Permit Registration | <input type="checkbox"/> Completed Database Sheet<br><input type="checkbox"/> Withdrawal<br><input type="checkbox"/> Letter<br><input type="checkbox"/> Other (specify) _____<br>_____ |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Date	From	To	Action Requested
6/3/2016	Jerry	Bev	Please review and approve to go to notice.
6/14	Bev	Jerry	Go to Notice
6/14	Jerry	SARAH	APPROVED FOR NOTICE

NOTE:      Retain a copy of this manifest for your records when transmitting your document(s).

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# AIR QUALITY PERMIT NOTICE

## Notice of Intent to Approve

On April 22, 2016, X-Chem, LLC applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a permit to construct and operate a methanol storage and chemical handling facility located at 393 Hwy 33 East, Weston, Lewis County, WV at latitude 39.037347 and longitude - 80.453263. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of its preliminary determination to issue the permit as R13-3311.

The following potential emissions will be authorized by this permit action: Particulate Matter less than 10 microns, 0.04 tons per year (TPY); Volatile Organic Compounds, 1.27 TPY; Methanol (Hazardous Air Pollutant), 1.27 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on (Day of Week, Month, Day, Year). A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed construction will meet all state and federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Jerry Williams, P.E.  
WV Department of Environmental Protection  
Division of Air Quality  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Telephone: 304/926-0499, ext. 1223  
FAX: 304/926-0478

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

[www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx](http://www.dep.wv.gov/daq/Pages/NSRPermitsforReview.aspx)



**west virginia** department of environmental protection

Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone (304) 926-0475 • FAX: (304) 926-0479

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
www.dep.wv.gov

**ENGINEERING EVALUATION/ FACT SHEET**

**BACKGROUND INFORMATION**

Application No.: R13-3311  
Plant ID No.: 041-00079  
Applicant: X-Chem, LLC  
Facility Name: Weston Facility  
Location: Weston, Lewis County  
NAICS Code: 325998  
Application Type: Construction  
Received Date: April 22, 2016  
Engineer Assigned: Jerry Williams, P.E.  
Fee Amount: \$1,000.00  
Date Received: April 22, 2016  
Complete Date: May 13, 2016  
Due Date: August 11, 2016  
Applicant Ad Date: May 4, 2016  
Newspaper: *The Weston Democrat*  
UTM's: Easting: 547.318 km      Northing: 4,321.063 km      Zone: 17  
Latitude/Longitude: 39.037347/ -80.453263  
Description: This permitting action is for the installation and operation of methanol and polyacrylamide storage tanks.

**DESCRIPTION OF PROCESS**

The following process description was taken from Permit Application R13-3311:

The facility receives methanol from suppliers via tanker trucks. These are unloaded and stored in two (2) - 8,000 gallon storage tanks. Methanol is then transferred from the storage tanks to 330 gallon totes for delivery to customers. The facility also receives anionic and cationic polyacrylamides via tanker trucks. These are transferred into 6,340 gallon isotanks for delivery to customers.

The air contaminants from the facility are the volatile organic compound (VOC) emissions resulting from unloading of methanol from the tanker trucks to the two (2) storage tanks, working and breathing losses from the tanks, transfer of methanol from the storage tanks to the

totes, transfer of polyacrylamides from tanker trucks to the isotanks, and the particulate matter (traffic) emissions from paved roads when tankers and delivery trucks visit the site.

**SITE INSPECTION**

A site inspection was conducted by Douglas Hammell of the DAQ Enforcement Section on May 24, 2016. According to Mr. Hammell, the storage tanks are on site, and in-place where they will be used, but no premature construction has been done. The two (2) horizontal tanks are skid-bottomed, were cleaned before being shipped from New Jersey a couple of years ago and have remained empty and out-of-service since being unloaded at Weston facility. There is no piping, no access stairs/ladders, no pump, no dike, just the tanks sitting unused on the ground.

**ESTIMATE OF EMISSIONS BY REVIEWING ENGINEER**

Emissions associated with this construction application consist of the emissions from working and breathing losses of the methanol tanks, tanker truck loading to the methanol tanks, methanol tanks to totes loading, polyacrylamide loading, equipment leaks and haulroads. Each piece of equipment onsite are fitted with components to ensure a safe and efficient production process. These components are designed to have a small amount of gas vent to the atmosphere.

The following table indicates which methodology was used in the emissions determination:

<b>Emission Point ID#</b>	<b>Process Equipment</b>	<b>Calculation Methodology</b>
EP-TANK01-02	2 - 8,000 gallon Methanol Tanks	Pro-Max (Working and Breathing Losses)
EP-L01	4,500 gal/hr Methanol Tank Loading	EPA AP-42 Emission Factors
EP-L02	50 gal/min Methanol Tote Loading	EPA AP-42 Emission Factors
EP-L03	3,600 gal/hr Anionic Polyacrylamide Loading	EPA AP-42 Emission Factors
EP-L04	3,600 gal/hr Cationic Polyacrylamide Loading	EPA AP-42 Emission Factors
EP-HR01-02	Haulroads	EPA AP-42 Emission Factors
EP-F001	Equipment Leaks	EPA Protocol for Equipment Leak Emission Estimates

**X-Chem, LLC – Weston Facility (R13-3311)**

Emission Point ID#	Source	VOC		PM-10		Total HAPs	
		lb/hr	ton/year	lb/hr	ton/year	lb/hr	ton/year
EP-TANK01-02	2 Methanol Storage Tanks	0.06	0.27	0.00	0.00	0.06	0.27
EP-L01	Methanol Tank Loading	7.16	0.29	0.00	0.00	7.16	0.29
EP-L02	Methanol Tote Loading	4.77	0.29	0.00	0.00	4.77	0.29
EP-L03	Anionic Polyacrylamide Loading	1.01	0.18	0.00	0.00	1.01	0.18
EP-L04	Cationic Polyacrylamide Loading	1.01	0.18	0.00	0.00	1.01	0.18
<b>Total Point Source</b>		<b>14.01</b>	<b>1.22</b>	<b>0.00</b>	<b>0.00</b>	<b>14.01</b>	<b>1.22</b>
Fugitive	Equipment Leaks	0.01	0.05	0.00	0.00	0.01	0.05
Fugitive	Haulroads	0.00	0.00	0.43	0.04	0.00	0.00
<b>Total Fugitive</b>		<b>0.01</b>	<b>0.05</b>	<b>0.43</b>	<b>0.04</b>	<b>0.01</b>	<b>0.05</b>
<b>Total Site Wide</b>		<b>14.02</b>	<b>1.27</b>	<b>0.43</b>	<b>0.04</b>	<b>14.02</b>	<b>1.27</b>

## REGULATORY APPLICABILITY

The following rules apply to the facility:

**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)

45CSR13 applies to this source due to the fact that X-Chem is defined as a “stationary source” under 45CSR13 Section 2.24.b, which states that an owner or operator discharges or has the potential to discharge more than two (2) pounds per hour or five (5) tons per year of aggregate hazardous air pollutants. X-Chem exceeds this threshold. X-Chem has published the required Class I legal advertisement notifying the public of their permit application, and paid the appropriate application fee (construction).

**45CSR22** (Air Quality Management Fee Program)

This facility is a minor source and not subject to 45CSR30. X-Chem is required to keep their Certificate to Operate current.

The following rules do not apply to the facility:

**40CFR60 Subpart Kb** (Standards of Performance for VOC Liquid Storage Vessels)

40CFR60 Subpart Kb does not apply to storage vessels with a capacity less than 75 cubic meters. The largest tanks that X-Chem has proposed to install are 30.28 cubic meters each. Therefore, X-Chem would not be subject to this rule.

**40CFR60 Subpart OOOO** (Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution)

EPA published in the Federal Register new source performance standards (NSPS) and air toxics rules for the oil and gas sector on August 16, 2012. 40CFR60 Subpart OOOO establishes emission standards and compliance schedules for the control of volatile organic compounds (VOC) and sulfur dioxide (SO<sub>2</sub>) emissions from affected facilities that commence construction, modification or reconstruction after August 23, 2011. The following affected sources which commence construction, modification or reconstruction after August 23, 2011 were reviewed to the applicable provisions of this subpart:

Each storage vessel affected facility, which is a single storage vessel, located in the oil and natural gas production segment, natural gas processing segment or natural gas transmission and storage segment.

40CFR60 Subpart OOOO defines a storage vessel as a unit that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provides structural support and is designed to contain an accumulation of liquids or other materials. The following are not considered storage vessels:

- Vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), and are intended to be located at a site for less than 180 consecutive days. If the source does not keep or are not able to produce records, as required by §60.5420(c)(5)(iv), showing that the vessel has been located at a site for less than 180 consecutive days, the vessel described herein is considered to be a storage vessel since the original vessel was first located at the site.
- Process vessels such as surge control vessels, bottoms receivers or knockout vessels.
- Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere.

This rule requires that the permittee determine the VOC emission rate for each storage vessel affected facility utilizing a generally accepted model or calculation methodology within 30 days of startup, and minimize emissions to the extent practicable during the 30 day period using good engineering practices. For each storage vessel affected facility that emits more than 6 tpy of VOC, the permittee must reduce VOC emissions by 95% or greater within 60 days of startup. The compliance date for applicable storage vessels is October 15, 2013.

*The storage vessels located at this facility do not have emissions greater than 6 tons per year. Therefore, there are no applicable requirements regarding storage vessels under 40CFR60 Subpart OOOO that would apply.*

**45CSR14** (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollutants)

**45CSR19** (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution which Cause or Contribute to Nonattainment)

The Weston Facility is located in Lewis County which is an unclassified county for all criteria pollutants, therefore the Weston Facility is not applicable to 45CSR19.

As shown in the following table, X-Chem is not a major source subject to 45CSR14 or 45CSR19 review. According to 45CSR14 Section 2.43.e, fugitive emissions are not included in the major source determination because it is not listed as one of the source categories in Table 1. Therefore, the fugitive emissions are not included in the PTE on the following page.

Pollutant	PSD (45CSR14) Threshold (tpy)	NANSR (45CSR19) Threshold (tpy)	Facility PTE (tpy)	45CSR14 or 45CSR19 Review Required?
Carbon Monoxide	250	NA	0	No
Nitrogen Oxides	250	NA	0	No
Sulfur Dioxide	250	NA	0	No
Particulate Matter 2.5	250	NA	0.04	No
Ozone (VOC)	250	NA	1.27	No

## TOXICITY OF NON-CRITERIA REGULATED POLLUTANTS

The HAPs associated with this facility are emitted at minor source levels. The majority of non-criteria regulated pollutants fall under the definition of HAPs which, with some revision since, were 188 compounds identified under Section 112(b) of the Clean Air Act (CAA) as pollutants or groups of pollutants that EPA knows or suspects may cause cancer or other serious human health effects.

All HAPs have other non-carcinogenic chronic and acute effects. These adverse health effects may be associated with a wide range of ambient concentrations and exposure times and are influenced by source-specific characteristics such as emission rates and local meteorological conditions. Health impacts are also dependent on multiple factors that affect variability in humans such as genetics, age, health status (e.g., the presence of pre-existing disease) and lifestyle. As stated previously, *there are no federal or state ambient air quality standards for these specific chemicals*. For a complete discussion of the known health effects of methanol refer to the IRIS database located at [www.epa.gov/iris](http://www.epa.gov/iris).

## AIR QUALITY IMPACT ANALYSIS

Modeling was not required of this source due to the fact that the facility is not subject to 45CSR14 (Permits for Construction and Major Modification of Major Stationary Sources of Air Pollutants) as seen in the table listed in the Regulatory Discussion Section.

## SOURCE AGGREGATION

“Building, structure, facility, or installation” is defined as all the pollutant emitting activities which belong to the same industrial grouping, are located on one or more contiguous and adjacent properties, and are under the control of the same person.

The Weston Facility is located in Lewis County and will be operated by X-Chem.

“Contiguous or Adjacent” determinations are made on a case by case basis. These determinations are proximity based, and it is important to focus on this and whether or not it meets the common sense notion of a plant. The terms “contiguous” or “adjacent” are not defined by USEPA. Contiguous has a dictionary definition of being in actual contact; touching along a boundary or at a point. Adjacent has a dictionary definition of not distant; nearby; having a common endpoint or border. There are no X-Chem properties in question that are considered to be on contiguous or adjacent property with the Weston Facility.

Because there are no facilities that are considered to be on contiguous or adjacent properties, the emissions from the Weston Facility should not be aggregated with other facilities in determining major source or PSD status.

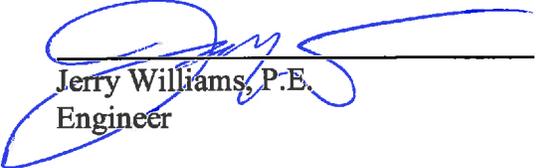
## MONITORING OF OPERATIONS

X-Chem will be required to perform the following monitoring and recordkeeping associated with this permit application:

- Monitor the storage tanks to ensure they are operated per manufacturer's specifications
- Monitor and record the throughput for the loadouts
- Maintain records of testing conducted in accordance with the permit
- Maintain a record of all potential to emit (PTE) HAP calculations for the entire facility. These records shall include the natural gas compressor engines and ancillary equipment.
- Monitor the methanol and polyacrylamide truck loading
- The records shall be maintained on site or in a readily available off-site location maintained by X-Chem for a period of five (5) years.

## RECOMMENDATION TO DIRECTOR

The information provided in the permit application indicates X-Chem's Weston Facility meets all the requirements of applicable regulations. Therefore, impact on the surrounding area should be minimized and it is recommended that the Lewis County location should be granted a construction permit under 45CSR13.



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Jerry Williams, P.E.  
Engineer

JUNE 3, 2016

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Date



Facility Location: Weston, Lewis County, West Virginia  
Mailing Address: 393 Hwy 33 East, Weston, WV 26452  
Facility Description: Natural Gas Liquids Management Facility  
NAICS Codes: 211111  
UTM Coordinates: 547.318 km Easting • 4,321.063 km Northing • Zone 17  
Permit Type: Construction  
Description of Change: Construction and operation of a methanol and polyacrylamide storage tanks.

*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.*

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*The source is not subject to 45CSR30.*

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**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
TANK01	EP-TANK01	Methanol Tank	2016	8,000 gal	None
TANK02	EP-TANK02	Methanol Tank	2016	8,000 gal	None
L01	EP-L01	Methanol Tank Loading	2016	4,500 gal/hr 360,000 gal/yr	None
L02	EP-L02	Methanol Tote Loading	2016	4,500 gal/hr 360,000 gal/yr	None
L03	EP-L03	Anionic Polyacrylamide Loading	2016	3,600 gal/hr 1,318,720 gal/yr	None
L04	EP-L04	Cationic Polyacrylamide Loading	2016	3,600 gal/hr 1,318,720 gal/yr	None

DRAFT

**2.0. General Conditions**

**2.1. Definitions**

- 2.1.1. All references to the “West Virginia Air Pollution Control Act” or the “Air Pollution Control Act” mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The “Clean Air Act” means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. “Secretary” means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary’s designated representative for the purposes of this permit.

**2.2. Acronyms**

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>2.5</sub></b>	Particulate Matter less than 2.5 μm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10μm in diameter
<b>CO</b>	Carbon Monoxide	<b>Ppb</b>	Pounds per Batch
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>Pph</b>	Pounds per Hour
<b>DAQ</b>	Division of Air Quality	<b>Ppm</b>	Parts per Million
<b>DEP</b>	Department of Environmental Protection	<b>Ppmv or ppmv</b>	Parts per Million by Volume
<b>dscm</b>	Dry Standard Cubic Meter	<b>PSD</b>	Prevention of Significant Deterioration
<b>FOIA</b>	Freedom of Information Act	<b>Psi</b>	Pounds per Square Inch
<b>HAP</b>	Hazardous Air Pollutant	<b>SIC</b>	Standard Industrial Classification
<b>HON</b>	Hazardous Organic NESHAP	<b>SIP</b>	State Implementation Plan
<b>HP</b>	Horsepower	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>lbs/hr</b>	Pounds per Hour	<b>TAP</b>	Toxic Air Pollutant
<b>LDAR</b>	Leak Detection and Repair	<b>TPY</b>	Tons per Year
<b>M</b>	Thousand	<b>TRS</b>	Total Reduced Sulfur
<b>MACT</b>	Maximum Achievable Control Technology	<b>TSP</b>	Total Suspended Particulate
<b>MDHI</b>	Maximum Design Heat Input	<b>USEPA</b>	United States Environmental Protection Agency
<b>MM</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>MMBtu/hr or mmbtu/hr</b>	Million British Thermal Units per Hour	<b>VEE</b>	Visual Emissions Evaluation
<b>MMCF/hr or mmcf/hr</b>	Million Cubic Feet per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>NA</b>	Not Applicable	<b>VOL</b>	Volatile Organic Liquids
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		

### **2.3. Authority**

This permit is issued in accordance with West Virginia Air Pollution Control Act 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;*

### **2.4. Term and Renewal**

- 2.4.1. 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 other 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 R13-3311, 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 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 in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

## **2.7. Duty to Supplement and Correct Information**

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

## **2.8. Administrative Update**

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4.]

## **2.9. Permit Modification**

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

## **2.10 Major Permit Modification**

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§13-5.1]

## **2.11. Inspection and Entry**

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

## **2.12. Emergency**

- 2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by

improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

- 2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.
- 2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
  - d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- 2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- 2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

### **2.13. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

### **2.14. Suspension of Activities**

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

### **2.15. Property Rights**

This permit does not convey any property rights of any sort or any exclusive privilege.

**2.16. Severability**

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

**2.17. Transferability**

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. [45CSR§13-10.1.]

**2.18. Notification Requirements**

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

**2.19. Credible Evidence**

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

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### 3.0. Facility-Wide Requirements

#### 3.1. Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.  
[45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.  
[45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.  
[40CFR§61.145(b) and 45CSR§34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.  
[45CSR§4-3.1] *[State Enforceable Only]*
- 3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.  
[45CSR§13-10.5.]
- 3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.  
[45CSR§11-5.2.]

#### 3.2. Monitoring Requirements

*[Reserved]*

#### 3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or 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)(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 57<sup>th</sup> Street  
Charleston, WV 25304-2345

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

#### 3.5.4. Operating Fee

- 3.5.4.1. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

- 3.5.4.2. In accordance with 45CSR22 – Air Quality Management Fee Program, enclosed with this permit is an Application for a Certificate to Operate (CTO). The CTO will cover the time period beginning with the date of initial startup through the following June 30. Said application and the appropriate fee shall be submitted to this office prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with Section 4.5 of 45CSR22. A copy of this schedule may be found on the reverse side of the CTO application.
- 3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

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#### 4.0. Source-Specific Requirements

##### 4.1. Limitations and Standards

- 4.1.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:
- a. The date, place as defined in this permit, and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
- 4.1.2. **Minor Source of Hazardous Air Pollutants (HAP).** HAP emissions from the facility shall be less than 10 tons/year of any single HAP or 25 tons/year of any combination of HAPs. Compliance with this Section shall ensure that the facility is a minor HAP source.
- 4.1.3. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.  
[45CSR§13-5.11.]
- 4.1.4. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:
- a. The equipment involved.
  - b. Steps taken to minimize emissions during the event.
  - c. The duration of the event.
  - d. The estimated increase in emissions during the event.
- For each such case associated with an equipment malfunction, the additional information shall also be recorded:
- e. The cause of the malfunction.
  - f. Steps taken to correct the malfunction.
  - g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.
- 4.1.5. The permittee shall install, maintain, and operate all above-ground piping, valves, pumps, etc. that service lines in the transport of potential sources of regulated air pollutants to minimize any fugitive escape of regulated air pollutants (leak). Any above-ground piping, valves, pumps, etc. that shows signs of excess wear and that have a reasonable potential for fugitive emissions of regulated air pollutants shall be repaired or replaced as needed.

- 4.1.6. The permittee shall monitor and maintain quarterly records (calendar year) for each facility component that was inspected for fugitive escape of regulated air pollutants. Each component shall operate with no detectable emissions, as determined using audio-visual-olfactory (AVO) inspections, USEPA 40CFR60 Method 21, USEPA alternative work practice to detect leaks from equipment using optical gas imaging (OGI) camera (ex. FLIR camera), or some combination thereof. AVO inspections shall include, but not limited to, defects as visible cracks, holes, or gaps in piping; loose connections; liquid leaks; or broken or missing caps or other closure devices. If permittee uses USEPA Method 21, then no detectable emissions is defined as less than 500 ppm in accordance with Method 21. If permittee uses an OGI camera, then no detectable emissions is defined as no visible leaks detected in accordance with USEPA alternative OGI work practices.

If any leak is detected, the permittee shall repair the leak as soon as possible. The first attempt at repair must be made within five (5) calendar days of discovering the leak, and the final repair must be made within fifteen (15) calendar days of discovering the leak. The permittee shall record each leak detected and the associated repair. The leak will not be considered repaired until the same monitoring method or a more detailed instrument determines the leak is repaired.

Delay of repair of a closed vent system for which leaks or defects have been detected is allowed if the repair is technically infeasible without a shutdown, or if you determine that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. You must complete repair of such equipment by the end of the next shutdown.  
[45CSR§13-5.11.]

- 4.1.7. The paved haulroads shall be operated in accordance with the plans and specifications filed in Permit Application R13-3311.

## 5.0. Source-Specific Requirements [Storage Vessels (TANK01-02)]

### 5.1. Limitations and Standards

- 5.1.1. *Emission Units.* The maximum design capacity for each of the storage vessels (TANK01, TANK02) shall not exceed 8,000 gallons. The storage vessels (TANK01, TANK02) shall contain methanol as represented in the MSDS in permit application R13-3311.
- 5.1.2. *Maximum Storage Vessel Throughput Limitation.* The permittee shall not exceed 360,000 gallons per year throughput for each methanol storage tank (TANK01-02) without first obtaining a modification or administrative update. Compliance with the annual throughput limitation shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the storage vessel throughput at any given time during the previous twelve (12) consecutive calendar months.
- 5.1.3. *Cover Requirements.* The permittee shall comply with the cover requirements in this section.
1. The cover and all openings on the cover (e.g., access hatches, sampling ports, pressure relief valves and gauge wells) shall form a continuous impermeable barrier over the entire surface area of the liquid in the storage vessel.
  2. Each cover opening shall be secured in a closed, sealed position (e.g., covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed except during those times when it is necessary to use an opening as follows:
    - (i) To add material to, or remove material from the unit (this includes openings necessary to equalize or balance the internal pressure of the unit following changes in the level of the material in the unit);
    - (ii) To inspect or sample the material in the unit;
    - (iii) To inspect, maintain, repair, or replace equipment located inside the unit; or
    - (iv) To vent liquids, gases, or fumes from the unit through a closed-vent system designed and operated in accordance with the requirements of this permit to a control device or to a process.
  3. Each storage vessel thief hatch shall be weighted and properly seated. You must select gasket material for the hatch based on composition of the fluid in the storage vessel and weather conditions.  
**[45CSR§13-5.11.]**
- 5.1.4. *Emissions determination.* The permittee shall determine the VOC emissions for each storage vessel (as defined in § 60.5430) to determine affected facility status (commenced construction, modification or reconstruction after August 23, 2011) in accordance with the *emissions determination* required in 40CFR60 Subpart OOOO.

- 5.1.5. *Regulated Pollutant Limitation.* The permittee shall not exceed the following emission limits for the two (2) methanol storage vessels (TANK01, TANK02) without obtaining an administrative update or modification.

<b>Pollutant</b>	<b>Maximum Hourly Emissions (lb/hr)</b>	<b>Maximum Annual Emissions (ton/year)</b>
Volatile Organic Compounds (HAP)	0.06	0.27

## 5.2. Recordkeeping Requirements

- 5.2.1. To demonstrate compliance with section 5.1.2 of this permit, the permittee shall maintain a record of the aggregate throughput for the methanol storage tanks (TANK01, TANK02) on a monthly and rolling twelve (12) month total. Said records shall be maintained in accordance with section 3.5.1 of this permit.
- 5.2.2. To demonstrate compliance with section 5.1.4 of this permit, the permittee shall maintain records of the determination of the VOC emission rate per storage vessel, including identification of the model or calculation methodology used to calculate the VOC emission rate.
- 5.2.3. All records required under Section 5.2 shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the DAQ or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.

## 5.3. Notification and Reporting Requirements

- 5.3.1. The permittee shall notify the Director of the DAQ in writing for any instance when the potential emissions determined with a site specific sample in accordance with section 5.1.5 of this permit were greater than the potential emissions provided in the R13-3311 application. The notification shall include whether or not this change in emissions affects applicability determination to NSPS, Subpart OOOO for any storage vessel. The notification to the Director shall be provided no later than 30 days from the date of discovery of the increased emissions.

## 6.0. Source-Specific Requirements [Loading (L01 – L04)]

### 6.1. Limitations and Standards

- 6.1.1. *Maximum Truck Loading Throughput Limitation.* The permittee shall not exceed the following maximum throughput limits without obtaining a modification or administrative update. Compliance with the Maximum Annual Throughput Limitation shall be determined using a twelve (12) month rolling total. A twelve (12) month rolling total shall mean the sum of the tanker truck product throughput at any given time during the previous twelve (12) consecutive calendar months.

Emission Unit ID#	Loading Operation	Maximum Annual Throughput (gal/yr)
L01	Methanol Tank	360,000
L02	Methanol Tote	360,000
L03	Anionic Polyacrylamide	1,318,720
L04	Cationic Polyacrylamide	1,318,720

- 6.1.2. The methanol tank and tote loading (L01, L02) shall be operated in accordance with the plans and specifications filed in Permit Application R13-3311. They shall employ submerged loading, dedicated service.
- 6.1.3. The polyacrylamide loading (L03, L04) shall be operated in accordance with the plans and specifications filed in Permit Application R13-3311. They shall employ splash loading, dedicated service.

### 6.2. Monitoring Requirements

- 6.2.1. The permittee shall monitor the methanol and polyacrylamide throughput on a daily basis.

### 6.3. Recordkeeping Requirements

- 6.3.1. For the purpose of demonstrating compliance with sections 6.1.1 and 6.2.1, the permittee shall maintain records of the volumes of methanol and polyacrylamide loaded on a daily basis.
- 6.3.2. All records required under Section 6.3 shall be maintained on site or in a readily accessible off-site location maintained by the permittee for a period of five (5) years. Said records shall be readily available to the Director of the Division of Air Quality or his/her duly authorized representative for expeditious inspection and review. Any records submitted to the agency pursuant to a requirement of this permit or upon request by the Director shall be certified by a responsible official.

### CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached \_\_\_\_\_, representing the period beginning \_\_\_\_\_ and ending \_\_\_\_\_, and any supporting documents appended hereto, is true, accurate, and complete.

Signature<sup>1</sup> \_\_\_\_\_ Date \_\_\_\_\_  
(please use blue ink) Responsible Official or Authorized Representative

Name & Title \_\_\_\_\_ Title \_\_\_\_\_  
(please print or type) Name

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

<sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
  - (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
  - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.

## Williams, Jerry

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**From:** Williams, Jerry  
**Sent:** Friday, May 13, 2016 8:42 AM  
**To:** 'kevin.wallace@nch.com'  
**Cc:** McKeone, Beverly D  
**Subject:** WV DAQ NSR Permit Application Complete for X-Chem, LLC - Weston Facility

**RE: Application Status: Complete  
X-Chem, LLC – Weston Facility  
Permit Application R13-3311  
Plant ID No. 041-00079**

Mr. Wallace,

Your application for a construction permit for a methanol storage and chemical handling facility was received by this Division on April 22, 2016 and assigned to the writer for review. Upon review of said application, it was determined that the application was incomplete as submitted and additional information was requested. The requested information has been received, therefore, the statutory review period commenced on May 13, 2016.

**In the case of this application, the agency believes it will take approximately 90 days to make a final permit determination.**

This determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit determination.

Should you have any questions, please contact Jerry Williams at (304) 926-0499 ext. 1223 or reply to this email.

Jerry Williams, P.E.  
Engineer  
WVDEP – Division of Air Quality  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
(304) 926-0499 ext. 1223  
[jerry.williams@wv.gov](mailto:jerry.williams@wv.gov)



 Please consider the environment before printing this email.

**NON-CONFIDENTIAL**

**RECEIVED**  
 MAY 12 2016  
 STATE OF WEST VIRGINIA  
 COUNTY OF LEWIS, to wit:  
 J. Robert Billeter, being first duty

sworn upon my oath, do depose and say that I am Editor of The Weston Democrat, Inc., a corporation, publisher of the newspaper entitled The Weston Democrat, a Democratic newspaper; that I have been duty authorized by the board of directors of such corporation to execute this affidavit of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published weekly; for at least fifty weeks during the calendar year; in the Municipality of Weston, Lewis County, West Virginia; that such newspaper is a newspaper of "general circulation", as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and Lewis County; that such newspaper averages in length four or more pages exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature,

and for the current happenings, announcements, miscellaneous reading matters, advertisements, and other notices; that the annexed notice of Air Quality Permit - X-Chem, LLC - Construction permit was duty published in said newspaper once a week for 1 weeks. (Class I), commencing with the issue of the 4 day of May, 2016 and ending with the issue of the 4 day of May, 2016; that said annexed notice was published on the following dates:

May 4, 2016; and the cost of publishing said annexed notice as aforesaid was 49.68; total number of words: 414.

Robert Billeter, Editor

Taken, subscribed and sworn to before me in my said county this 4 day of May, 2016  
Natalia S. Linn  
 My commission expires 4/8/2024.  
 Notary Public in Lewis County, West Virginia.



**LEGAL ADVERTISEMENT**

Attachment P  
 AIR QUALITY PERMIT NOTICE  
 Notice of Application  
 X-Chem, LLC  
 Lewis County, West Virginia

Notice is given that X-Chem, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Construction Permit (12CSR13) for a Chemical Handling and Storage facility located at 393 US HWY 33 East, Weston, WV 26452 in Lewis County, West Virginia.

The latitude and longitude coordinates are: 39.037347 degrees N and -80.453283 degrees W

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be:

POLLUTANTS	TOTALS (tpy):
VOC	1.2654
PM10	0.0444
Total HAPs	0.8957
Methanol	0.8957
Anthracene Polycyclic aromatic hydrocarbons	0.1849
Cationic Polyacrylamide	0.1849

Startup is planned to begin upon issuance of the permit. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAG at (304) 926-0499, extension 1227, during normal business hours. Dated this 4th day of May, 2016.

By: X-Chem, LLC  
 Kevin Wallace  
 WV Finance  
 2727 Chemssearch Blvd.  
 Irving, TX 75062

ID # 041-0079  
 Reg 1213-3311  
 Company X-chem  
 Facility Weston Initials dl

**NON-CONFIDENTIAL**

**Williams, Jerry**

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**From:** Chen, Yi <Yi.Chen@ghd.com>  
**Sent:** Tuesday, May 10, 2016 10:12 AM  
**To:** Williams, Jerry  
**Cc:** Bautista, Manuel; Adkins, Sandra K; kevin.wallace@nch.com; Roy Mathew (RMATHEW@nch.com)  
**Subject:** RE: affidavit for legal ad for X-Chem, LLC; Weston  
**Attachments:** X-Chem Affidavit.pdf

Hi Jerry,

Attached is a copy of the legal advertisement affidavit for X-Chem permit application submitted on April 22. A hard copy of the affidavit will be mailed to you today.

Thanks,

**Yi Chen**

**GHD**

T: +1 713 734 3090 | Direct: +1 832 485 5221 | E: Yi.Chen@ghd.com  
6320 Rothway Street Houston Texas 77040 USA | [www.ghd.com](http://www.ghd.com)

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**From:** Bautista, Manuel  
**Sent:** Friday, April 22, 2016 2:51 PM  
**To:** Adkins, Sandra K  
**Cc:** Jerry.Williams@wv.gov; kevin.wallace@nch.com; Roy Mathew (RMATHEW@nch.com)  
**Subject:** RE: WV DAQ Permit Application Status for X-Chem, LLC; Weston  
**Importance:** High

Thank you Sandra! We'll submit the affidavit for the legal advertisement as soon as we received it.

Manuel

**Manuel S Bautista**  
**GHD**

T: +1 713 734 3090 | D:+1 832 485 5201 | M: +1 281 900 5841 | Email: [manuel.bautista@ghd.com](mailto:manuel.bautista@ghd.com)  
6320 Rothway Suite 100 Houston Texas 77040 USA | [www.ghd.com](http://www.ghd.com)

ID # 041-0079  
Reg 1613-3311  
Company X-Chem  
Facility Weston Initials lw

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**From:** Adkins, Sandra K [<mailto:Sandra.K.Adkins@wv.gov>]  
**Sent:** Friday, April 22, 2016 2:39 PM  
**To:** [kevin.wallace@nch.com](mailto:kevin.wallace@nch.com); Bautista, Manuel

**Cc:** McKeone, Beverly D; Williams, Jerry  
**Subject:** WV DAQ Permit Application Status for X-Chem, LLC; Weston

**RE: Application Status  
X-Chem, LLC  
Weston  
Facility ID No. 041-00079  
Application No. R13-3311**

Mr. Wallace,

Your application for construction permit for the Weston facility was received by this Division on April 22, 2016, and was assigned to Jerry Williams. The following item was not included in the initial application submittal:

**Original affidavit for Class I legal advertisement not submitted.**

*This item is necessary for the assigned permit writer to continue the 30-day completeness review.*

Within 30 days, you should receive a letter from Jerry stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

Should you have any questions, please contact the assigned engineer, Jerry Williams, at 304-926-0499, extension 1223.

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This e-mail has been scanned for viruses

**AFFIDAVIT OF PUBLICATION**

STATE OF WEST VIRGINIA,

COUNTY OF LEWIS, to wit:

I, Robert Billeter, being first duty sworn upon my oath, do depose and say that I am Editor of The Weston Democrat, Inc., a corporation, publisher of the newspaper entitled The Weston Democrat, a Democratic newspaper; that I have been duty authorized by the board of directors of such corporation to execute this affidavit of publication; that such newspaper has been published for more than one year prior to publication of the annexed notice described below; that such newspaper is regularly published weekly; for at least fifty weeks during the calendar year; in the Municipality of Weston, Lewis County, West Virginia, that such newspaper is a newspaper of "general circulation", as that term is defined in article three, chapter fifty-nine of the Code of West Virginia, 1931, as amended, within the publication area or areas of the aforesaid municipality and Lewis County; that such newspaper averages in length four or more pages exclusive of any cover, per issue; that such newspaper is circulated to the general public at a definite price or consideration; that such newspaper is a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature,

and for the current happenings, announcements, miscellaneous reading matters, advertisements, and other notices; that the annexed notice of Air Quality Permit - X-Chem, LLC - Construction Permit was duly published in said newspaper once a week for 1 weeks. (Class II), commencing with the issue of the 4 day of May, 2011 and ending with the issue of the 4 day of May, 2011; that said annexed notice was published on the following dates:

May 4, 2011; and the cost of publishing said annexed notice as aforesaid was 49.68; total number of words: 414.

Robert Billeter, Editor

Taken, subscribed and sworn to before me in my said county this 4 day of May, 2011.

Natalia L. Vilers

My commission expires 4/8/2024.

Notary Public in Lewis County, West Virginia.



**LEGAL ADVERTISEMENT**

Attachment P  
**AIR QUALITY PERMIT NOTICE**  
Notice of Application  
X-Chem, LLC  
Lewis County, West Virginia

Notice is given that X-Chem, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Construction Permit (1205-SP13) for a Chemical Handling and Storage facility located at 993 US HWY 39 East, Weston, WV 26452 in Lewis County, West Virginia.

The latitude and longitude coordinates are: 39.037347 degrees N and -80.463263 degrees W

The applicant estimates the potential to discharge the following Regulated Air Pollutants will be:

POLLUTANTS	TOTALS (tpy):
VOC	1.2684
PM <sub>10</sub>	0.0444
Total HAPs	0.8957
Methanol	0.8957
Antonic Polyacrylamide	0.1849
Cationic Polyacrylamide	0.1849

Startup is planned to begin upon issuance of the permit. Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street SE, Charleston, WV 25304, for at least 30 calendar days from the date of publication of this notice.

Any questions regarding this permit application should be directed to the DAC at (304) 926-0499, extension 1227, during normal business hours.

Dated this 4th day of May, 2011.

By: X-Chem, LLC  
Kevin Wallace  
WV Finance  
2727 Chemsearch Blvd.  
Irving, TX 75062

**Williams, Jerry**

---

**From:** Ward, Beth A  
**Sent:** Monday, April 25, 2016 11:28 AM  
**To:** Williams, Jerry  
**Subject:** X-CHEM LLC PERMIT APPLICATION FEE

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This is the receipt for payment received from:

X-CHEM LLC, WESTON, CHECK NUMBER 689701, CHECK DATE 04/15/2016, \$1,000.00  
R13-3311 ID# 041-00079

OASIS Deposit CR 1600117067

Thank You!

*Beth Ward*

**WV DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BTO FISCAL  
601 57<sup>TH</sup> STREET SE  
CHARLESTON, WV 25304  
(304) 926-0499 EXT 1846  
[beth.a.ward@wv.gov](mailto:beth.a.ward@wv.gov)**

**NON-CONFIDENTIAL**

**Adkins, Sandra K**

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**From:** Adkins, Sandra K  
**Sent:** Friday, April 22, 2016 3:39 PM  
**To:** 'kevin.wallace@nch.com'; 'manuel.bautista@ghd.com'  
**Cc:** McKeone, Beverly D; Williams, Jerry  
**Subject:** WV DAQ Permit Application Status for X-Chem, LLC; Weston

**RE: Application Status  
X-Chem, LLC  
Weston  
Facility ID No. 041-00079  
Application No. R13-3311**

Mr. Wallace,

Your application for construction permit for the Weston facility was received by this Division on April 22, 2016, and was assigned to Jerry Williams. The following item was not included in the initial application submittal:

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*This item is necessary for the assigned permit writer to continue the 30-day completeness review.*

Within 30 days, you should receive a letter from Jerry stating the status of the permit application and, if complete, given an estimated time frame for the agency's final action on the permit.

Any determination of completeness shall not relieve the permit applicant of the requirement to subsequently submit, in a timely manner, any additional or corrected information deemed necessary for a final permit decision.

Should you have any questions, please contact the assigned engineer, Jerry Williams, at 304-926-0499, extension 1223.

**NON-CONFIDENTIAL**

041-00079 New ID#  
R13-3311 R13#

Jing  
Construction

**45CSR13 Administrative Update, Construction, Modification, Relocation,  
Temporary Permit or General Permit Registration Incomplete Application**

A complete application is demonstrated when all of the information required below is properly prepared, completed and attached. The items listed below are required information which must be submitted with a 45CSR13 permit application. Any submittal will be considered incomplete if the required information is not included. The applicant must submit a complete application in order to receive a 45CSR13 permit.

- Class I legal advertisement not published in a newspaper certified to accept legal advertisements and original affidavit submitted.
- Application fee AND/OR additional application fees not included:
  - \$250 Class I General Permit
  - \$300 Class II Administrative Update
  - \$1,000 Construction, Modification, Relocation or Temporary Permit
  - \$500 Class II General Permit
  - \$1,000 NSPS
  - \$2,500 NESHAP
  - \$2,500 45CSR27 Pollutant
  - \$5,000 Major Modification
  - \$10,000 Major Construction
- Original and two (2) copies of the application not submitted.
- File organization – application pages are not numbered or in correct order, application is not bound in some way, etc.
- Confidential Business Information is not properly identified.
- General application forms not completed and signed by a responsible official.
- Authority of Corporation form not included – required if application is signed by someone other than a responsible official.
- Applicant is not registered with the West Virginia Secretary of State's Office.
- Copy of current Business Registration Certificate not included.
- Process description, including equipment and emission point identification numbers, not submitted.
- Process flow diagram, including equipment and emission point identification numbers, not submitted.
- Plot plan, including equipment and emission point identification numbers, not submitted.
- Applicable technical forms not completed and submitted:
  - Emission Point Data Summary Sheets
  - Air Pollution Control Device Sheets
  - Emission Unit Data Sheets
  - Equipment List Form
- Emission calculations not included – emission factors, references, source identification numbers, etc.
- Electronic submittal diskette not included.