Mountain State
CARBON

1851 Main Street, P.O. Box 670, Follansbee, WV 26037

July 29, 2015

3.2.3.2

**Via E-Mail (Beverly.D.Mckeone@wv.gov) and U.S. Mail**

Beverly D. McKeone
NSR Program Manager
West Virginia Department of Environmental Protection ("DEP")
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304

SUBJECT: Mountain State Carbon, LLC
Application for Permit Revision for Permit R13-1939A

Dear Ms. McKeone:

Mountain State Carbon, LLC ("MSC") operates a metallurgical coke manufacturing facility in Follansbee, West Virginia under Title V permit no. R30-00900002-2010/2015. MSC's Title V permit is currently in the renewal process with DEP, and as part of that process MSC has proposed a number of changes to the Title V permit that implicate underlying Regulation 13 permits, including R13-1939A. Accordingly, MSC requests an administrative update to R13-1939A to include changes that MSC has already proposed to DEP in its comments on the Title V renewal permit.

In accordance with W. Va. Code St. R. 45-13-4, MSC hereby requests a Class II administrative update for R13-1939A. MSC will place a legal advertisement in a newspaper of general circulation regarding the proposed change pursuant to W. Va. Code St. R. 45-13-8.3. MSC has enclosed a permit revision application and attachments and a permit application fee of $300, in accordance with W. Va. Code St. R. 45-13-4.4. As mentioned, for Title V permit purposes, MSC has requested that the Title V permit be revised to include the proposed changes through the renewal process, and therefore does not seek a formal Title V permit revision here.

Below are the conditions of the Regulation 13 permit to be revised, followed in parentheses by the analogous condition of the redlined version of the draft Title V permit that MSC submitted to DEP on June 16, 2015. An explanation of the change and requested redlined permit language follow.

Condition A.7 (Title V Permit Condition 8.1.9): The proposed change would clarify that the three-hour average is indeed a block average and not a rolling average, consistent with the intent of the rule.

"The permittee shall be limited to a maximum of twenty-eight (28) days in any calendar year for planned maintenance outages of the desulfurization unit in the coke by-products recovery plant. No single scheduled outage period shall extend beyond 336 hours. The start of a planned maintenance shall begin at the time of the first hour of a three-hour block average concentration that is greater than 50 grains of H2S/100 cubic feet of COG. The planned maintenance shall be concluded when at the time of the first hour of a three-hour block average concentration that is less than or equal to 50 grains of H2S/100 cubic feet of COG."

Condition A.12 (Title V Permit Condition 8.1.14): The proposed change would clarify that the emissions limitation applies to the excess coke oven gas flare, and not to a thermal oxidizer.

"Visible emissions from the excess COG flare (Emission Unit P024-1) shall not exceed twenty percent (20%) opacity except upon the first eight (8) minutes of starting the ~~thermal oxidizer~~flare then the visible emissions from this emission point shall not exceed forty percent (40%) opacity for this time period. The permittee shall demonstrate compliance with this condition by taking visual observations using U.S. EPA Method 22 once a month. Should the permittee observe visible emissions from the flare using Method 22, then the permittee shall conduct an additional observation within 24-hours of the Method 22 using U.S. EPA Method 9 to determine the opacity of the visible emissions being emitted from the flare."

If you need further clarification or information on these requested revisions, please contact me by phone at (304) 527-5676, or via email at Patrick.Smith@mscarbonllc.com. Thank you for working with MSC to expedite the revisions to this Regulation 13 permit.

Sincerely,

Patrick J. Smith
Environmental Manager

/Enclosures

G:\ENVCTRL\!Coke Plant\!Air\Permits\Reg 13 Permits\R13 Permit Revision Request 2015 07\R13-1939A cover letter.docx

**MOUNTAIN STATE CARBON, LLC**

STATEMENT OF REMITTANCE

| VOUCHER NUMBER | INVOICE DATE | VEN. INVOICE NO. | | AMOUNT | CASH DISCOUNT | NET AMOUNT |
|---|---|---|---|---|---|---|
| | 072715 | R13-1939A | | 300.00 | 0 | 300.00 |

IN PAYMENT OF ABOVE ITEMS

AMOUNT OF CHECK 300.00

DETACH BEFORE DEPOSITING

**MOUNTAIN STATE CARBON, LLC** 9016859

1851 MAIN STREET • P.O. BOX 670 • FOLLANSBEE, WEST VIRGINIA 26037

56-382
412

MSC-01 (10-12)

WorkflowOne 412-741-6376

98198

DATE 07 29 15

PAY EXACTLY 300 DOLLARS AND 00 CENTS

AMOUNT $ *******300.00

PAY TO THE ORDER OF

WVDEP DIV OF AIR QUALITY
601 57TH ST
CHARLESTON, WV 25304

Wells Fargo Bank, N.A.

VOID AFTER 60 DAYS

THIS DOCUMENT CONTAINS COLORED BACKGROUND ON WHITE PAPER. VOID ANTI COPY FEATURE, SIMULATED WATERMARK ON REVERSE SIDE AND MICRO PRINTED ENDORSEMENT LINES ON REVERSE SIDE.

⑈9016859⑈ ⑆041203824⑆ 9600162829⑈

**REGULATION 13**

**CLASS II ADMINISTRATIVE UPDATE APPLICATION FOR**

**PERMIT R13-1939A**

**MOUNTAIN STATE CARBON, LLC**

**General Applicant Information.....SECTION I - III**

**Business Certificate.....ATTACHMENT A**

**Public Notice.....ATTACHMENT P**

WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

**DIVISION OF AIR QUALITY**

601 57th Street, SE
Charleston, WV 25304
(304) 926-0475
www.dep.wv.gov/daq

# *APPLICATION FOR NSR PERMIT AND TITLE V PERMIT REVISION (OPTIONAL)*

PLEASE CHECK ALL THAT APPLY TO **NSR (45CSR13)** (IF KNOWN):

☐ **CONSTRUCTION** ☐ **MODIFICATION** ☐ **RELOCATION**
☐ **CLASS I ADMINISTRATIVE UPDATE** ☐ **TEMPORARY**
☒ **CLASS II ADMINISTRATIVE UPDATE** ☐ **AFTER-THE-FACT**

PLEASE CHECK TYPE OF **45CSR30 (TITLE V)** REVISION (IF ANY):

☐ **ADMINISTRATIVE AMENDMENT** ☐ **MINOR MODIFICATION**
☐ **SIGNIFICANT MODIFICATION**

IF ANY BOX ABOVE IS CHECKED, INCLUDE TITLE V REVISION INFORMATION AS **ATTACHMENT S** TO THIS APPLICATION

*FOR TITLE V FACILITIES ONLY: Please refer to "Title V Revision Guidance" in order to determine your Title V Revision options (Appendix A - "Title V Permit Revision Flowchart") and ability to operate with the changes requested in this Permit Application.*

## *Section I. General*

1. Name of applicant *(as registered with the WV Secretary of State's Office):*
Mountain State Carbon, LLC

2. Federal Employer ID No. ***(FEIN):***
20-2840611

3. Name of facility *(if different from above):*

4. The applicant is the:
☐ **OWNER** ☐ **OPERATOR** ☒ **BOTH**

5A. Applicant's mailing address:
1851 Main Street, Follansbee, WV 26037

5B. Facility's present physical address:
1851 Main Street, Follansbee, WV 26037

6. **West Virginia Business Registration.** Is the applicant a resident of the State of West Virginia? ☐ **YES** ☒ **NO**

- ➪ If **YES,** provide a copy of the **Certificate of Incorporation/Organization/Limited Partnership** (one page) including any name change amendments or other Business Registration Certificate as **Attachment A.**
- ➪ If **NO,** provide a copy of the **Certificate of Authority/Authority of L.L.C./Registration** (one page) including any name change amendments or other Business Certificate as **Attachment A.**

7. If applicant is a subsidiary corporation, please provide the name of parent corporation: AK Steel Corporation

8. Does the applicant own, lease, have an option to buy or otherwise have control of the *proposed site?* ☒ **YES** ☐ **NO**

- ➪ If **YES,** please explain:
- ➪ If **NO,** you are not eligible for a permit for this source.

9. Type of plant or facility (stationary source) to be **constructed, modified, relocated, administratively updated** or **temporarily permitted** (e.g., coal preparation plant, primary crusher, etc.):
Metallurgical Coke Manufacturing

10. North American Industry Classification System **(NAICS)** code for the facility:
324199

11A. DAQ Plant ID No. (for existing facilities only):
09 – 00002

11B. List all current 45CSR13 and 45CSR30 (Title V) permit numbers associated with this process (for existing facilities only):
R130-0090, R13-1652, R13-1939A, R132591D, 413-2632, R13-2772, R13-2798, R13-2548A, R30-00900002-2010/2015

*All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.*

12A.

- ➪ For **Modifications, Administrative Updates** or **Temporary permits** at an existing facility, please provide directions to the *present location* of the facility from the nearest state road;
- ➪ For **Construction** or **Relocation permits,** please provide directions to the *proposed new site location* from the nearest state road. Include a **MAP** as **Attachment B.**

One mile north of Follansbee on West Virginia Route 2, along the eastern bank of the Ohio River.

| 12.B. New site address (if applicable): n/a | 12C. Nearest city or town: Follansbee | 12D. County: Brooke |
|---|---|---|
| 12.E. UTM Northing (KM): 4465.78 | 12F. UTM Easting (KM): 533.41 | 12G. UTM Zone: 17 |

13. Briefly describe the proposed change(s) at the facility:

None. The changes are administrative updates identified in the attached cover letter.

| 14A. Provide the date of anticipated installation or change: / / n/a<br>➪ If this is an **After-The-Fact** permit application, provide the date upon which the proposed change did happen: / / | 14B. Date of anticipated Start-Up if a permit is granted: n/a / / |
|---|---|

14C. Provide a **Schedule** of the planned **Installation** of/**Change** to and **Start-Up** of each of the units proposed in this permit application as **Attachment C** (if more than one unit is involved). n/a

15. Provide maximum projected **Operating Schedule** of activity/activities outlined in this application:
n/a Hours Per Day Days Per Week Weeks Per Year

16. Is demolition or physical renovation at an existing facility involved? ☐ **YES** ☒ **NO**

17. **Risk Management Plans.** If this facility is subject to 112(r) of the 1990 CAAA, or will become subject due to proposed changes (for applicability help see www.epa.gov/ceppo), submit your **Risk Management Plan (RMP)** to U. S. EPA Region III.

18. **Regulatory Discussion.** List all Federal and State air pollution control regulations that you believe are applicable to the proposed process *(if known).* A list of possible applicable requirements is also included in Attachment S of this application (Title V Permit Revision Information). Discuss applicability and proposed demonstration(s) of compliance *(if known).* Provide this information as **Attachment D.** n/a

## *Section II. Additional attachments and supporting documents.*

19. Include a check payable to WVDEP – Division of Air Quality with the appropriate **application fee** (per 45CSR22 and 45CSR13).

20. Include a **Table of Contents** as the first page of your application package.

21. Provide a **Plot Plan,** e.g. scaled map(s) and/or sketch(es) showing the location of the property on which the stationary source(s) is or is to be located as **Attachment E** (Refer to ***Plot Plan Guidance***) .
➪ Indicate the location of the nearest occupied structure (e.g. church, school, business, residence).

22. Provide a **Detailed Process Flow Diagram(s)** showing each proposed or modified emissions unit, emission point and control device as **Attachment F.**

23. Provide a **Process Description** as **Attachment G.**
➪ Also describe and quantify to the extent possible all changes made to the facility since the last permit review (if applicable).

***All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.***

24. Provide **Material Safety Data Sheets (MSDS)** for all materials processed, used or produced as **Attachment H.**

➪ For chemical processes, provide a MSDS for each compound emitted to the air.

25. Fill out the **Emission Units Table** and provide it as **Attachment I.**

26. Fill out the **Emission Points Data Summary Sheet (Table 1 and Table 2)** and provide it as **Attachment J.**

27. Fill out the **Fugitive Emissions Data Summary Sheet** and provide it as **Attachment K.**

28. Check all applicable **Emissions Unit Data Sheets** listed below:

☐ Bulk Liquid Transfer Operations
☐ Chemical Processes
☐ Concrete Batch Plant
☐ Grey Iron and Steel Foundry
☐ General Emission Unit, specify
☐ Haul Road Emissions
☐ Hot Mix Asphalt Plant
☐ Incinerator
☐ Indirect Heat Exchanger
☐ Quarry
☐ Solid Materials Sizing, Handling and Storage Facilities
☐ Storage Tanks

Fill out and provide the **Emissions Unit Data Sheet(s)** as **Attachment L.**

29. Check all applicable **Air Pollution Control Device Sheets** listed below:

☐ Absorption Systems
☐ Adsorption Systems
☐ Afterburner
☐ Baghouse
☐ Condenser
☐ Electrostatic Precipitator
☐ Flare
☐ Mechanical Collector
☐ Wet Collecting System
☐ Other Collectors, specify

Fill out and provide the **Air Pollution Control Device Sheet(s)** as **Attachment M.**

30. Provide all **Supporting Emissions Calculations** as **Attachment N,** or attach the calculations directly to the forms listed in Items 28 through 31.

31. **Monitoring, Recordkeeping, Reporting and Testing Plans.** Attach proposed monitoring, recordkeeping, reporting and testing plans in order to demonstrate compliance with the proposed emissions limits and operating parameters in this permit application. Provide this information as **Attachment O.**

➢ Please be aware that all permits must be practically enforceable whether or not the applicant chooses to propose such measures. Additionally, the DAQ may not be able to accept all measures proposed by the applicant. If none of these plans are proposed by the applicant, DAQ will develop such plans and include them in the permit.

32. **Public Notice.** At the time that the application is submitted, place a **Class I Legal Advertisement** in a newspaper of general circulation in the area where the source is or will be located (See 45CSR§13-8.3 through 45CSR§13-8.5 and ***Example Legal Advertisement*** for details). Please submit the **Affidavit of Publication** as **Attachment P** immediately upon receipt.

33. **Business Confidentiality Claims.** Does this application include confidential information (per 45CSR31)?

☐ **YES** ☒ **NO**

➢ If **YES,** identify each segment of information on each page that is submitted as confidential and provide justification for each segment claimed confidential, including the criteria under 45CSR§31-4.1, and in accordance with the DAQ's ***"Precautionary Notice – Claims of Confidentiality"*** guidance found in the ***General Instructions*** as **Attachment Q.**

## *Section III. Certification of Information*

34. **Authority/Delegation of Authority.** Only required when someone other than the responsible official signs the application. Check applicable **Authority Form** below:

☐ Authority of Corporation or Other Business Entity
☐ Authority of Governmental Agency
☐ Authority of Partnership
☐ Authority of Limited Partnership

Submit completed and signed **Authority Form** as **Attachment R.**

***All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.***

35A. **Certification of Information.** To certify this permit application, a Responsible Official (per 45CSR§13-2.22 and 45CSR§30-2.28) or Authorized Representative shall check the appropriate box and sign below.

***Certification of Truth, Accuracy, and Completeness***

I, the undersigned ☒ **Responsible Official** / ☐ **Authorized Representative,** hereby certify that all information contained in this application and any supporting documents appended hereto, is true, accurate, and complete based on information and belief after reasonable inquiry I further agree to assume responsibility for the construction, modification and/or relocation and operation of the stationary source described herein in accordance with this application and any amendments thereto, as well as the Department of Environmental Protection, Division of Air Quality permit issued in accordance with this application, along with all applicable rules and regulations of the West Virginia Division of Air Quality and W.Va. Code § 22-5-1 et seq. (State Air Pollution Control Act). If the business or agency changes its Responsible Official or Authorized Representative, the Director of the Division of Air Quality will be notified in writing within 30 days of the official change.

***Compliance Certification***

Except for requirements identified in the Title V Application for which compliance is not achieved, I, the undersigned hereby certify that, based on information and belief formed after reasonable inquiry, all air contaminant sources identified in this application are in compliance with all applicable requirements.

SIGNATURE _____ *(Please use blue ink)* DATE: 7/27/15 *(Please use blue ink)*

| | | |
|---|---|---|
| 35B. Printed name of signee: Lawrence R. Hermes | | 35C. Title: Vice President and CFO |
| 35D. E-mail: lawrence.hermes@mscarbonllc.com | 36E. Phone: (304) 527-5697 | 36F. FAX: (304) 527-5635 |
| 36A. Printed name of contact person (if different from above): Patrick Smith | | 36B. Title: Environmental Manager |
| 36C. E-mail: Patrick.Smith@mscarbonllc.com | 36D. Phone: (304) 527-5676 | 36E. FAX: (304) 527-5635 |

**PLEASE CHECK ALL APPLICABLE ATTACHMENTS INCLUDED WITH THIS PERMIT APPLICATION:**

- ☒ **Attachment A: Business Certificate**
- ☐ **Attachment B: Map(s)**
- ☐ **Attachment C: Installation and Start Up Schedule**
- ☐ **Attachment D: Regulatory Discussion**
- ☐ **Attachment E: Plot Plan**
- ☐ **Attachment F: Detailed Process Flow Diagram(s)**
- ☐ **Attachment G: Process Description**
- ☐ **Attachment H: Material Safety Data Sheets (MSDS)**
- ☐ **Attachment I: Emission Units Table**
- ☐ **Attachment J: Emission Points Data Summary Sheet**
- ☐ **Attachment K: Fugitive Emissions Data Summary Sheet**
- ☐ **Attachment L: Emissions Unit Data Sheet(s)**
- ☐ **Attachment M: Air Pollution Control Device Sheet(s)**
- ☐ **Attachment N: Supporting Emissions Calculations**
- ☐ **Attachment O: Monitoring/Recordkeeping/Reporting/Testing Plans**
- ☒ **Attachment P: Public Notice**
- ☐ **Attachment Q: Business Confidential Claims**
- ☐ **Attachment R: Authority Forms**
- ☐ **Attachment S: Title V Permit Revision Information**
- ☒ **Application Fee**

***Please mail an original and three (3) copies of the complete permit application with the signature(s) to the DAQ, Permitting Section, at the address listed on the first page of this application. Please DO NOT fax permit applications.***

***FOR AGENCY USE ONLY - IF THIS IS A TITLE V SOURCE:***

- ☐ ***Forward 1 copy of the application to the Title V Permitting Group and:***
- ☐ ***For Title V Administrative Amendments:***
  - ☐ ***NSR permit writer should notify Title V permit writer of draft permit,***
- ☐ ***For Title V Minor Modifications:***
  - ☐ ***Title V permit writer should send appropriate notification to EPA and affected states within 5 days of receipt,***
  - ☐ ***NSR permit writer should notify Title V permit writer of draft permit.***
- ☐ ***For Title V Significant Modifications processed in parallel with NSR Permit revision:***
  - ☐ ***NSR permit writer should notify a Title V permit writer of draft permit,***
  - ☐ ***Public notice should reference both 45CSR13 and Title V permits,***
  - ☐ ***EPA has 45 day review period of a draft permit.***

***All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.***

# ATTACHMENT A

# State of West Virginia

# Certificate

## *I, Natalie E. Tennant, Secretary of State of the State of West Virginia, hereby certify that*

**MOUNTAIN STATE CARBON, LLC**

was duly authorized under the laws of this state to transact business in West Virginia as a foreign limited liability company on July 11, 2005.

The company is filed as an at-will company, for an indefinite period.

I further certify that the LLC (PLLC) has not been revoked by the State of West Virginia nor has a Certificate of Cancellation been issued.

Therefore, I hereby issue this

# CERTIFICATE OF AUTHORIZATION

**Validation ID:3WV2C_6EN9H**

*Given under my hand and the Great Seal of the State of West Virginia on this day of July 17, 2015*

*Secretary of State*

Notice: A certificate issued electronically from the West Virginia Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Validation Page of the Secretary of State's Web site, https://apps.wv.gov/sos/businessentitysearch/validate.aspx entering the validation ID displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate.

# ATTACHMENT P

## AIR QUALITY PERMIT NOTICE

### Notice of Application

Notice is hereby given that Mountain State Carbon, LLC has applied to the West Virginia Department of Environmental Protection, Division of Air Quality, for a Class II Administrative Update to Permit R13-1939A governing a coke plant located at 1851 Main Street, Follansbee, Brooke County, West Virginia. The latitude and longitude coordinates of the facility are 40.34 and -80.61. The applicant estimates that the potential to discharge Regulated Air Pollutants will not change as a result of the Class II Administrative Update. The facility is currently in operation and the proposed updates to the permit are administrative in nature.

Written comments will be received by the West Virginia Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304, regarding the application 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 DAQ at (304) 926-0499, extension 1250, during normal business hours.

Dated this the XX day of July, 2015.

By: Mountain State Carbon, LLC
Lawrence R. Hermes
Vice President and Chief Financial Officer
1851 Main Street
Follansbee, WV 26037