



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

July 29, 2015

3.2.2.

**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 57<sup>th</sup> Street, SE  
Charleston, WV 25304

SUBJECT: Mountain State Carbon, LLC  
Application for Permit Revision for Permit R13-2632

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 R13-2632. Accordingly, MSC requests an administrative update to R13-2632 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 I administrative update for R13-2632. This proposed change would correct a typographical error in the permit. A Class I administrative update is justified based on W. Va. Code St. R. 45-13-4.2.a.1, which allows administrative updates correcting typos.

MSC has enclosed a permit revision application and attachments. No public notice is required for this administrative update pursuant to W. Va. Code St. R. 45-13-4.1.d. 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 is the condition 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. Requested redlined permit language follows.

Beverly D. McKeone  
July 29, 2015  
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Condition 4.1.6 (Title V Permit Condition 9.1.6): This proposed change corrects a mistaken citation in the permit; the reference should be to condition 4.1.4 in the permit.

“4.1.6 Compliance with all annual operating limits set forth in 4.1.2, 4.1.3, and 4.1.4~~5~~ of this permit shall be determined using a twelve month rolling total. A twelve month rolling total shall mean the sum of the amount of hours operated at any given time during the previous twelve (12) consecutive calendar months.”

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

**REGULATION 13**  
**CLASS I ADMINISTRATIVE UPDATE APPLICATION FOR**  
**PERMIT R13-2632**  
**MOUNTAIN STATE CARBON, LLC**

**General Applicant Information.....SECTION I - III**  
**Business Certificate.....ATTACHMENT A**



WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
**DIVISION OF AIR QUALITY**

601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
(304) 926-0475  
[www.dep.wv.gov/dag](http://www.dep.wv.gov/dag)

**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.*

<p>12A.</p> <p>⇒ For <b>Modifications, Administrative Updates</b> or <b>Temporary permits</b> at an existing facility, please provide directions to the <i>present location</i> of the facility from the nearest state road;</p> <p>⇒ For <b>Construction</b> or <b>Relocation permits</b>, please provide directions to the <i>proposed new site location</i> from the nearest state road. Include a <b>MAP</b> as <b>Attachment B</b>.</p> <p>One mile north of Follansbee on West Virginia Route 2, along the eastern bank of the Ohio River.</p>		
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
<p>13. Briefly describe the proposed change(s) at the facility:</p> <p>None. The changes are administrative updates identified in the attached cover letter.</p>		
14A. Provide the date of anticipated installation or change: / / n/a ⇒ If this is an <b>After-The-Fact</b> 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 <b>Schedule</b> of the planned <b>Installation</b> of/ <b>Change</b> to and <b>Start-Up</b> of each of the units proposed in this permit application as <b>Attachment C</b> (if more than one unit is involved). n/a		
15. Provide maximum projected <b>Operating Schedule</b> 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? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
17. <b>Risk Management Plans.</b> If this facility is subject to 112(r) of the 1990 CAAA, or will become subject due to proposed changes (for applicability help see <a href="http://www.epa.gov/ceppo">www.epa.gov/ceppo</a> ), submit your <b>Risk Management Plan (RMP)</b> to U. S. EPA Region III.		
18. <b>Regulatory Discussion.</b> List all Federal and State air pollution control regulations that you believe are applicable to the proposed process ( <i>if known</i> ). 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 ( <i>if known</i> ). Provide this information as <b>Attachment D</b> . n/a		
<b>Section II. Additional attachments and supporting documents.</b>		
19. Include a check payable to WVDEP – Division of Air Quality with the appropriate <b>application fee</b> (per 45CSR22 and 45CSR13).		
20. Include a <b>Table of Contents</b> as the first page of your application package.		
21. Provide a <b>Plot Plan</b> , 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 <b>Attachment E</b> (Refer to <b>Plot Plan Guidance</b> ). ⇒ Indicate the location of the nearest occupied structure (e.g. church, school, business, residence).		
22. Provide a <b>Detailed Process Flow Diagram(s)</b> showing each proposed or modified emissions unit, emission point and control device as <b>Attachment F</b> .		
23. Provide a <b>Process Description</b> as <b>Attachment G</b> . ⇒ Also describe and quantify to the extent possible all changes made to the facility since the last permit review (if applicable).		
<b>All of the required forms and additional information can be found under the Permitting Section of DAQ's website, or requested by phone.</b>		

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:

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

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

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

<input type="checkbox"/> Absorption Systems	<input type="checkbox"/> Baghouse	<input type="checkbox"/> Flare
<input type="checkbox"/> Adsorption Systems	<input type="checkbox"/> Condenser	<input type="checkbox"/> Mechanical Collector
<input type="checkbox"/> Afterburner	<input type="checkbox"/> Electrostatic Precipitator	<input type="checkbox"/> Wet Collecting System
<input type="checkbox"/> 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:

<input type="checkbox"/> Authority of Corporation or Other Business Entity	<input type="checkbox"/> Authority of Partnership
<input type="checkbox"/> Authority of Governmental Agency	<input type="checkbox"/> 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  DATE: 7/27/15  
(Please use blue ink) (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**

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

*Natalie E. Tennant*  
Secretary of State