west virginia department of environmental protection

Division of Air Quality
601 57th 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

DRAFT
COMPLIANCE ORDER
ISSUED UNDER THE
AIR POLLUTION CONTROL ACT
WEST VIRGINIA CODE, CHAPTER 22, ARTICLE 5, SECTION 4

TO: Mr. J. Thomas Horan
CAIR Designated Representative
PPG Industries, Inc.
PO Box 191
New Martinsville, WV 26155

DATE: March 1, 2012

ORDER NO.: CO-R40-C-2012-X

AFFECTED FACILITY:
PPG Industries, Inc. - Natrium Plant - WV ID# 051-00002
New Martinsville, Marshall County, West Virginia

INTRODUCTION

This 2012 CAIR NOx Ozone Season Allowance Allocation Compliance Order is issued to PPG Industries, Inc. pursuant to the authority vested in the Director of the Division of Air Quality under Chapter 22, Article 5, Section 1, et seq. of the West Virginia Code and 45CSR40, *Control of Ozone Season Nitrogen Oxides Emissions*. This Compliance Order establishes the 2012 Clean Air Interstate Rule (CAIR) NOx Ozone Season allowance allocation for Unit 002 at the PPG Industries Natrium Plant located in New Martinsville, West Virginia.

FINDINGS OF FACT

In support of this Order, the Director hereby finds the following:

1. PPG Industries, Inc. (PPG) owns and/or operates a fossil fuel-fired industrial boiler with a design heat input of 243 mmBtu/hr, identified as Unit ID No. 002 (Unit 002) at its Natrium Plant located in New Martinsville, West Virginia, which emits oxides of nitrogen (NO_X).

2. Pursuant to 45CSR§40-4, PPG Unit 002 is a CAIR NOx Ozone Season unit, and is subject to the Standard Requirements of 45CSR40 and the CAIR NOx Ozone Season Program administered by the U.S. Environmental Protection Agency.

3. PPG has submitted a complete CAIR permit application for the Natrium Plant which includes and identifies Unit 002, and has established a designated representative for this CAIR NOx Ozone Season program source.

4. PPG Unit 002 is eligible for CAIR NOx Ozone Season allowance allocations under 45CSR§40-43.

5. The baseline ozone season heat input for PPG Unit 002 is 892,161 mmBTU, and the unit's baseline NOx emission rate is 1.04 lb/mmBTU, as set forth in 45CSR§40-43.2.

6. The 2011 ozone season heat input for PPG Unit 002 was 849,318 mmBTU.

7. In accordance with 45CSR§40-43.4, since unit's 2011 ozone season heat input is less than the unit's baseline heat input, the 2012 CAIR NOx Ozone Season allowance allocation for PPG Unit 002 is calculated using the unit's 2011 ozone season heat input of 849,318 mmBTU, multiplied by the unit's baseline NO_X emission rate of 1.04 lb/mmBTU, divided by 2000 lb/ton and rounded to the nearest whole number of NO_X allowances (in tons). This calculation results in a 2012 CAIR NOx Ozone Season allowance allocation of 442 tons.

8. The 2012 CAIR NO_X Ozone Season Allowances set forth in this Order are allocated in accordance with 45CSR§40-43.

9. The 2012 CAIR NO_X Ozone Season allowances allocated under this Compliance Order are subject to the market trading and administrative adjustment provisions of 45CSR40, and the federal CAIR NO_X Ozone Season Program.

10. By April 1, 2012, the Director will determine by Order the CAIR NOx Ozone Season allowance allocation for PPG Unit 002 in accordance with 45CSR§40-43.4 and submit the allocation to the U.S. Environmental Protection Agency for recordation as set forth in 45CSR§40-43.c.

11. This Order does not make any finding of violation against PPG Industries, Inc.

ORDER ESTABLISHING 2012 CAIR NOx OZONE SEASON ALLOWANCE ALLOCATION

And now, this 1st day of March 2012, and in accordance with Chapter 22, Article 5, Section 4(a)(5) of the West Virginia Code, the Director hereby determines by ORDER the 2012 CAIR NOx Ozone Season Allowance Allocation for PPG Industries Natrium Plant Unit 002 located in New Martinsville, West Virginia subject to the federal Clean Air Interstate Rule NOx Ozone Season Program:

1. CAIR NO_X Ozone Season Unit	2012 CAIR NO_X Ozone Season Allowance Allocation
PPG Natrium Plant: Unit 002	442 tons

OTHER PROVISIONS

1. Compliance with the terms and conditions of this Order shall not in any way be construed as relieving PPG Industries, Inc. of the obligation to comply with any applicable law, permit, other order, or any other requirement otherwise applicable. Violations of the terms and conditions of this Order may subject PPG Industries to penalties and injunctive relief in accordance with the applicable law.

2. The provisions of this Order are severable and should a court or board of competent jurisdiction declare any provisions to be invalid or unenforceable, all other provisions shall remain in full force and effect.

3. This Order is binding on PPG Industries, Inc., their successors and assigns.

4. The provisions of this Order may be appealed pursuant to West Virginia Code Chapter 22, Article 5, Section 14, when the PPG Industries, Inc. CAIR permit is revised as necessary by the Director in accordance with 45CSR30 or any other applicable rule addressing permit revisions.

This Order shall become effective March 1, 2012.

_____
John A. Benedict, Director