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**west virginia** department of environmental protection

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Division of Air Quality  
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Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
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**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: February X, 2013

ORDER NO.: CO-R40-C-2013-X

**AFFECTED FACILITY:**

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

**INTRODUCTION**

This 2013 CAIR NO<sub>x</sub> 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 2013 Clean Air Interstate Rule (CAIR) NO<sub>x</sub> 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<sub>x</sub>).

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2. Pursuant to 45CSR§40-4, PPG Unit 002 is a CAIR NO<sub>x</sub> Ozone Season unit, and is subject to the Standard Requirements of 45CSR40 and the CAIR NO<sub>x</sub> 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 NO<sub>x</sub> Ozone Season program source.
4. PPG Unit 002 is eligible for CAIR NO<sub>x</sub> 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 NO<sub>x</sub> emission rate is 1.04 lb/mmBTU, as set forth in 45CSR§40-43.2.
6. The 2012 ozone season heat input for PPG Unit 002 was 842,762 mmBTU.
7. In accordance with 45CSR§40-43.4, since unit's 2012 ozone season heat input is less than the unit's baseline heat input, the 2013 CAIR NO<sub>x</sub> Ozone Season allowance allocation for PPG Unit 002 is calculated using the unit's 2012 ozone season heat input of 842,762 mmBTU, multiplied by the unit's baseline NO<sub>x</sub> emission rate of 1.04 lb/mmBTU, divided by 2000 lb/ton and rounded to the nearest whole number of NO<sub>x</sub> allowances (in tons). This calculation results in a 2013 CAIR NO<sub>x</sub> Ozone Season allowance allocation of 438 tons.
8. The 2013 CAIR NO<sub>x</sub> Ozone Season Allowances set forth in this Order are allocated in accordance with 45CSR§40-43.
9. The 2013 CAIR NO<sub>x</sub> 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<sub>x</sub> Ozone Season Program.
10. By April 1, 2013, the Director will determine by Order the CAIR NO<sub>x</sub> 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 2013 CAIR NO<sub>x</sub> OZONE SEASON  
ALLOWANCE ALLOCATION**

And now, this X<sup>st</sup> day of February 2013, and in accordance with Chapter 22, Article 5, Section 4(a)(5) of the West Virginia Code, the Director hereby determines by ORDER the 2013 CAIR NO<sub>x</sub> 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 NO<sub>x</sub> Ozone Season Program:

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|---|---|
| 1. <u>CAIR NO<sub>x</sub> Ozone Season Unit</u> | <u>2013 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation</u> |
| PPG Natrium Plant: Unit 002                     | 438 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 February X, 2013.

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John A. Benedict, Director