

# Fact Sheet



*For Final Permitting Action Under 45CSR30 and  
Title V of the Clean Air Act  
(Group 8/8)  
(Phosgene, MIC, Sevin)*

Permit Number: **R30-03900007-2005**  
Application Received: **October 8, 1996**  
Plant Identification Number: **03900007**  
Permittee: **Bayer CropScience, LP**  
Facility Name: **Institute Site**  
Mailing Address: **P.O. Box 1005**  
**Institute, WV 25112**

---

Physical Location: Institute, Kanawha County, West Virginia  
UTM Coordinates: 432.0 km Easting • 4,248.3 km Northing • Zone 17  
Directions: The facility is located west of Institute, WV, adjacent to State Route 25 and West Virginia State College.

---

## **Facility Description**

Bayer CropScience, an agricultural chemical based company, operates a multi-product, multi-process chemical plant. The Plant has five basic manufacturing units along with several other production facilities primarily responsible for producing raw materials used in the manufacture of agricultural chemicals. The principal products produced at the Institute site are SEVIN brand carbaryl, TEMIK brand aldicarb, LARVIN brand thiodicarb, methomyl, RHODIMET AT-88, oxamyl, BPMC, Carbofuran, and Carbosulfan. SIC Codes: 2879; 2869

## Emissions Summary

<b>Plantwide Emissions Summary [Tons per Year]</b>		
<b>Criteria Pollutants</b>	<b>Potential Emissions (Group 8)</b>	<b>2002 Actual Emissions (Group 8)</b>
Carbon Monoxide (CO)	20.35	2.83
Nitrogen Oxides (NO <sub>x</sub> )	60.05	0.18
Particulate Matter (PM <sub>10</sub> )	<0.01	<0.01
Total Particulate Matter (TSP)	0.03	<0.01
Sulfur Dioxide (SO <sub>2</sub> )	0.02	<0.01
Volatile Organic Compounds (VOC)	129.55	0.99
<i>PM<sub>10</sub> is a component of TSP.</i>		
<b>Hazardous Air Pollutants</b>	<b>Potential Emissions (Group 8)</b>	<b>2002 Actual Emissions (Group 8)</b>
Benzene	0.04	0.02
Carbaryl	96.24	0.07
Carbon Tetrachloride	0.33	0.08
Chlorine	0.54	0.12
Chloroform	4.51	1.36
Hydrogen Chloride	17.02	1.22
Methyl Isocyanate	0.29	0.15
Phosgene	0.033	<0.01
Toluene	28.00	0.42
Methyl Chloride	<0.01	<0.01
<i>Some of the above HAPs may be counted as PM or VOCs.</i>		

### Title V Program Applicability Basis

This facility has the potential to emit over 100 tons per year of NO<sub>x</sub> and VOC's, 10 tons per year of a single HAP, and over 25 tons per year of aggregate HAPs. Due to this facility's potential to emit over 100 tons per year of a criteria pollutant, 10 tons per year of a single HAP and over 25 tons per year of aggregate HAPs, (Bayer CropScience) is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

### Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

Group 8 at this facility\* has been found to be subject to the following applicable rules:

Federal and State:	45CSR1  45CSR6 45CSR7 45CSR11 45CSR13  45CSR16 45CSR21-5, 9, 41 WV Code § 22-5-4 (a) (14)  45CSR30 40 C.F.R. Part 61 40 C.F.R. Part 63, Subparts F, G, H 40 C.F.R. Part 60, Subpart VV	NOx budget trading program. (#2 Powerhouse – Group 1) Open burning prohibited. Particulate Matter Emissions Standby plans for emergency episodes. Permits for construction, modification, relocation, etc. New Stationary Sources Volatile Organic Compound emissions The Secretary can request any pertinent information such as annual emission inventory reporting. Operating permit requirement. Asbestos inspection and removal  Hazardous Organic NESHAP (HON) Equipment Leaks
State Only:	45CSR4 45CSR21-37 45CSR27	No objectionable odors. Volatile Organic Compound Emissions Toxic Air Pollutants

\*Other groups at this facility may be subject to additional applicable state and federal rules.

Each State and Federally-enforceable condition of the draft Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the draft Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the draft Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR15, 45CSR34 and 45CSR30.

**Active Permits/Consent Orders**

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (if any)
R13-223	5/28/1976	
R13-226	5/21/1976	
R13-1300	*	
R13-1590	5/14/1993	
CO-11-88-10**	12/16/1988	
CO-27-92-12	4/30/1992	
CO-21-97-4	2/19/1997	

\* - This Permit was not formally issued by DAQ. However, under the 1974 version of Rule 13, 45CSR§13-4.04 allowed the facility to proceed with the modification since the Permit was not acted upon within ninety days of receipt; provided that the activity is in accordance with the plans and specifications submitted by the application. The application was submitted on October 1, 1990.

\*\* - This Consent Order does not have a formal Consent Order Number. It is a Rule 11 Consent Order, signed in 1988, and found on page 10 of the Consent Order list.

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table B," which may be downloaded from DAQ's website.

## Determinations and Justifications

### PHOSGENE

#### 1. 45CSR6 - *To Prevent and Control Air Pollution from Combustion of Refuse.*

The maximum allowable particulate matter that may be discharged from any incinerator into the open air is limited by the requirements in 45CSR6. To convert to lbs/hr to determine the corresponding 45CSR6 limit:

The emission limitation from 45CSR§6-4.1 is:

Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)

The Flare 242A Incinerator Capacity (tons/hr) is 6.98 tons/hr. The F factor is 5.43. Therefore, the corresponding particulate matter limit (via 45CSR6-4.1) is (6.98\*5.43) equal to 37.9 lbs/hr. This is given in Condition 4.1.8.

The Incinerator 242D Incinerator Capacity (tons/hr) is 0.116 tons/hr. The F factor is 5.43. Therefore, the corresponding particulate matter limit (via 45CSR6-4.1) is (0.116\*5.43) equal to 0.63 lbs/hr. This is given in Condition 4.1.8.

The facility uses natural gas as fuel for the flares to burn waste VOC gases, so there is essentially no particulate matter that is expected to be generated by this process. Therefore, compliance with the PM limit shall be shown by ensuring that the Flare and Incinerators are operating correctly. Condition 4.1.16 requires that the Incinerator operate at a minimum of 760 degrees Celsius. The Flare is also subject to HON requirements. Condition 4.2.2 requires the Permittee to continuously monitor for flame presence, the natural gas flow rate, and the temperature of the Flare and Incinerator. Condition 4.4.2 requires the facility keep records of any time that the flare pilot is absent, as well as natural gas usage of the flare.

The Flare and Incinerators are also subject to the opacity limits of Rule 6, which are given in Condition 4.1.9. The permittee is required by Condition 4.2.3 to conduct monthly 40 CFR 60, Appendix A, Method 22 visible emissions observations (Method 22 observations). If during these observations or at any other time, visible emissions appear, a Method 9 evaluation must be conducted within twenty-four (24) hours unless corrective action is taken and recorded. The permit provides for reduced periodic visual observations following collection of sufficient readings to show that the flare and incinerator meet opacity limits. The permittee is required to keep appropriate records of all evaluations, observations, and corrective actions. Based on the EPA's approval of similar provisions for other like facilities, WVDAQ believes that the periodic monitoring approach for this facility is appropriate.

#### 2. 45CSR7 - *To prevent and control PM air pollution from manufacturing processes and associated operations*

The Flare (242A) is subject to the mineral acids limit of 4.2. The corresponding limit is 210 milligrams HCl per dry cubic meter, which is given in Condition 4.1.13. At normal operations, the design rate estimates 19 milligrams per cubic meter. The Title V Group 4 Permit required the facility to submit a protocol in order to verify the HCl emission rates within 60 days of the issuance date of the permit. By verifying the emissions at normal operation, as well as showing proper operation of the flare, this will ensure the facility meets the emission limits of Condition 4.1.13.

3. 45CSR13 – *Permits for Construction*

Condition 4.1.1 establishes limits for HCl, Cl<sub>2</sub>, Carbon Tetrachloride, Chloroform, Phosgene, and Carbon Monoxide from the Phosgene Process. These emissions are controlled by the Flare 242A and VGI Scrubber 242E. Condition 4.1.2 requires that the Phosgene production process be shutdown as rapidly as possible in event that the control devices are not operating or malfunctioning. Condition 4.1.3 establishes proper operating conditions for the Scrubber in order for it to work correctly. Condition 4.2.1 requires the Permittee to monitor the pH and liquor flow rate of the Scrubber to ensure that it is operating at correct conditions. Condition 4.2.2 requires the Permittee to monitor that the Flare 242A is operating correctly. Condition 4.4.2 requires the Permittee to keep records of all times when the Flare pilot flame is absent, and that they keep records of natural gas usage.

4. 40CFR63 Subpart F, G, and H – *Hazardous Organic NESHAP's*

*Process Vents*

The Group 1 Process Vents are allowed by Condition 4.1.12 to use a flare or thermal incinerator to reduce emissions. The facility uses Flare 242A to control emissions from the Phosgene Production area, as well as many other processes throughout the plant. Condition 4.1.4 requires the facility to use Subpart H requirements to check for Equipment Leaks. Condition 4.2.4 and 4.2.5 require flame monitors, proper calibration, and flow indicators for the Flare. Condition 4.3.1 requires the Permittee to comply with all applicable test methods for Subpart H. Condition 4.4.3 requires the Permittee to keep records of when the Flare flame is present. Condition 4.5.7 and 4.5.8 have Subpart G and Subpart H reporting requirements for the Flare, including flare bypass and the absence of flare flame.

5. 40 C.F.R. Part 60, Subpart VV – *Equipment Leaks*

The Phosgene process is subject to Subpart VV – Equipment Leaks. However, the process is also subject to the requirements of 40 C.F.R. Part 63, Subpart H. 40CFR§63.160(c) states that compliance with the provisions of Subpart H shall be deemed to constitute compliance with the standards of Subpart VV. Subpart H is required in Condition 4.1.4.

6. 45CSR21 – *Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds*

The facility has an existing Rule 21 consent order that is applicable to this Group. The limits are specified in Condition 4.1.5. The facility is required to provide leak detection from 45CSR§21-37. However, the facility already performs LDAR leak detection from Subpart H, which is more stringent than Rule 21. Therefore, the facility will show compliance with the Rule 21 limit by performing Subpart H leak detection for the Phosgene area. Conditions 4.5.2 and 4.5.3 specify reporting requirements for excess emissions and allowances for variances under Rule 21.

7. 45CSR27 – *Prevent and Control Air Pollution From the Emission of Toxic Air Pollutants*

The facility has an existing Rule 27 Consent Order that has Carbon Tetrachloride limits for the emission units in the Phosgene production process. These limits are given in Condition 4.1.6. To show compliance with the Carbon Tetrachloride limits from the Consent Order, the facility was required by Rule 27 to develop a Best Available Technology (BAT) plan. As the facility already performs LDAR leak detection from Subpart H, they have incorporated this into their BAT plan in order to show compliance with the Carbon Tetrachloride limits of Condition 4.1.6. This is given in Condition 4.1.4.

**MIC**

1. 45CSR6 - *To Prevent and Control Air Pollution from Combustion of Refuse.*

The maximum allowable particulate matter that may be discharged from any incinerator into the open air is limited by the requirements in 45CSR6. To convert to lbs/hr to determine the corresponding 45CSR6 limit:

The emission limitation from 45CSR§6-4.1 is:

Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)

The Flare 242A Incinerator Capacity (tons/hr) is 6.98 tons/hr. The F factor is 5.43. Therefore, the corresponding particulate matter limit (via 45CSR6-4.1) is  $(6.98 \times 5.43)$  equal to 37.9 lbs/hr. This is given in Condition 5.1.11.

The Incinerator 242D Incinerator Capacity (tons/hr) is 0.116 tons/hr. The F factor is 5.43. Therefore, the corresponding particulate matter limit (via 45CSR6-4.1) is  $(0.116 \times 5.43)$  equal to 0.63 lbs/hr. This is given in Condition 5.1.11.

The facility uses natural gas as fuel for the flares to burn waste VOC gases, so there is essentially no particulate matter that is expected to be generated by this process. Therefore, compliance with the PM limit shall be shown by ensuring that the Flare and Incinerators are operating correctly. Condition 5.1.10 requires that the Incinerator operate at a minimum of 760 degrees Celsius. The Flare is also subject to HON requirements. Condition 5.2.2 requires the Permittee to continuously monitor for flame presence, the natural gas flow rate, and the temperature of the Flare and Incinerator. Condition 5.4.8 requires the facility keep records of any time that the flare pilot is absent, as well as natural gas usage of the flare.

The Flare and Incinerators are also subject to the opacity limits of Rule 6, which are given in Condition 5.1.12. The permittee is required by Condition 5.2.3 to conduct monthly 40 CFR 60, Appendix A, Method 22 visible emissions observations (Method 22 observations). If during these observations or at any other time, visible emissions appear, a Method 9 evaluation must be conducted within twenty-four (24) hours unless corrective action is taken and recorded. The permit provides for reduced periodic visual observations following collection of sufficient readings to show that the flare and incinerator meet opacity limits. The permittee is required to keep appropriate records of all evaluations, observations, and corrective actions. Based on the EPA's approval of similar provisions for other like facilities, WVDAQ believes that the periodic monitoring approach for this facility is appropriate.

2. *45CSR7 - To prevent and control PM air pollution from manufacturing processes and associated operations*

The Flare (242A) is subject to the mineral acids limit of 4.2. The corresponding limit is 210 milligrams HCl per dry cubic meter, which is given in Condition 5.1.7. At normal operations, the design rate estimates 19 milligrams per cubic meter. The Title V Group 4 Permit required the facility to submit a protocol in order to verify the HCl emission rates within 60 days of the issuance date of the permit. By verifying the emissions at normal operation, as well as showing proper operation of the flare, this will ensure the facility meets the emission limits of 45CSR§7-4.2.

3. *45CSR11 – Prevention of Air Pollution Emergency Episodes*

The facility has a Rule 11 Consent Order. The Consent Order establishes a destruction efficiency of 99% of chloroform through the Incinerator/Scrubber (242D/242E) system. This is given in Condition 5.1.5. The facility is allowed to use the Scrubbers 242B and 242C during emergency repairs of equipment failure for the Incinerator/Scrubber system. The facility was required to demonstrate compliance with this limit by March 31, 1990. Condition 5.1.10 requires the Incinerator 242D to operate at design combustion temperature. Condition 5.1.9 requires the Scrubbers 242B, 242C, and 242E to operate at design scrubber conditions. Condition 5.2.1 requires the Permittee to monitor the scrubber liquor pH (or caustic concentration) and flow of Scrubbers 242B, 242C, and 242E. Condition 5.2.2 requires the facility to continuously monitor for flame presence, gas flow rate, and combustion temperature of the Incinerator 242D.

3. *45CSR13 – Permits for Construction*

Condition 5.1.1 sets the production rates for MIC and Muriatic Acid, which are taken from the R13-1300 Application. Condition 5.4.7 requires the facility to maintain daily logs of the amount of these products produced.

Condition 5.1.19 establishes limits for the Flare 242A, Scrubber 242B, 242C, 242E, and two Tanks 242F and 242G. The incinerator scrubber system 242D/242E is used to removed chloroform for the

process. When this equipment is down for emergency repair as allowed in Condition 5.1.7, it is allowed to be sent to the Scrubbers 242B and 242C.

4. 40CFR63 Subpart F, G, and H – *Hazardous Organic NESHAP's*

*Process Vents*

The Group 1 Process Vents are allowed by Condition 5.1.15 to use a flare or thermal incinerator to reduce emissions. The facility uses Flare 242A and Incinerator 242D to control emissions from the MIC Production area, as well as many other processes throughout the plant. Condition 5.1.18 requires the facility to use Subpart H requirements to check for Equipment Leaks. Condition 5.2.4 and 5.2.5 require flame monitors, proper calibration, and flow indicators for the flare and incinerator. Condition 5.3.1 requires the Permittee to comply with all applicable test methods for Subpart H. Condition 5.4.2 requires the Permittee to keep records of when the Flare flame is present, as well as records parameter results for the incinerator. Condition 5.5.5 and 5.5.6 have Subpart H reporting requirements for the Flare, including flare bypass and the absence of pilot flame.

*Storage Vessels*

There are Group 1 and Group 2 Storage Tanks in the MIC Process area. Condition 5.1.16 establishes requirements for Group 1 Storage Vessels (Closed Vent System and Control Device). Condition 5.1.17 sets recordkeeping requirements for Group 2 storage tanks. Condition 5.2.6 sets monitoring requirements for the flare used to treat emissions from the Group 1 Storage Vessels. Condition 5.4.3 requires Bayer CropScience to maintain records showing the dimensions of the storage vessel and an analysis showing the capacity of the storage vessel. Condition 5.4.4 sets recordkeeping for routine maintenance conducted for the control device used to treat emissions from Group 1 Storage Vessels.

5. 45CSR21 – *Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds*

The facility has an existing Rule 21 consent order that is applicable to this Group. The limits are specified in Condition 5.1.2. The facility is required to provide leak detection from 45CSR§21-37. However, the facility already performs LDAR leak detection from Subpart H, which is more stringent than Rule 21. Therefore, the facility will show compliance with the Rule 21 limit by performing Subpart H leak detection for the MIC Process area. Conditions 5.5.1 and 5.5.2 specify reporting requirements for excess emissions and allowances for variances under Rule 21.

6. 45CSR27 – *Prevent and Control Air Pollution From the Emission of Toxic Air Pollutants*

The facility has an existing Rule 27 Consent Order that has Chloroform and Carbon Tetrachloride limits for the emission units in the MIC Process area. These limits are given in Condition 5.1.3. To show compliance with the limits from the Consent Order, the facility was required by Rule 27 to develop a Best Available Technology (BAT) plan. As the facility already performs LDAR leak detection from Subpart H, they have incorporated this into their BAT plan in order to show compliance with the Chloroform and Carbon Tetrachloride limits of Condition 5.1.3. This is given in Condition 5.1.18.

**SEVIN**

1. 45CSR6 - *To Prevent and Control Air Pollution from Combustion of Refuse.*

The maximum allowable particulate matter that may be discharged from any incinerator into the open air is limited by the requirements in 45CSR6. To convert to lbs/hr to determine the corresponding 45CSR6 limit:

The emission limitation from 45CSR§6-4.1 is:

Emissions (lb/hr) = F x Incinerator Capacity (tons/hr)

The Thermal Oxidizer 260K Incinerator Capacity (tons/hr) is 0.140 tons/hr. The F factor is 5.43. Therefore, the corresponding particulate matter limit (via 45CSR6-4.1) is (0.140\*5.43) equal to 0.76 lbs/hr. This is given in Condition 6.1.10.

The facility uses natural gas as fuel for the thermal oxidizer to burn waste VOC gases, so there is essentially no particulate matter that is expected to be generated by this process. Therefore, compliance

with the PM limit shall be shown by ensuring that the thermal oxidizer is operating correctly. Condition 6.1.9 requires that the Thermal Oxidizer operate at a minimum of 1380 degrees Fahrenheit. The Flare is also subject to HON requirements. Condition 6.2.2 requires the Permittee to continuously monitor for flame presence, the natural gas flow rate, and the temperature of the thermal oxidizer. Condition 6.4.1 requires the facility keep records of any time that the thermal oxidizer pilot is absent, as well as natural gas usage of the thermal oxidizer.

The Thermal Oxidizer is also subject to the opacity limits of Rule 6, which are given in Condition 6.1.11. The permittee is required by Condition 6.2.4 to conduct monthly 40 CFR 60, Appendix A, Method 22 visible emissions observations (Method 22 observations). If during these observations or at any other time, visible emissions appear, a Method 9 evaluation must be conducted within twenty-four (24) hours unless corrective action is taken and recorded. The permit provides for reduced periodic visual observations following collection of sufficient readings to show that the thermal oxidizer meets opacity limits. The permittee is required to keep appropriate records of all evaluations, observations, and corrective actions. Based on the EPA's approval of similar provisions for other like facilities, WVDAQ believes that the periodic monitoring approach for this facility is appropriate.

2. *45CSR7 - To prevent and control PM air pollution from manufacturing processes and associated operations*

The Baghouses 260F, 265A, and 265B are subject to the opacity requirements of 45CSR7-3.1, which is given in Condition 6.1.18.

The permittee is required to conduct monthly 40 CFR 60, Appendix A, Method 22 visible emissions observations (Method 22 observations). This is given in Condition 6.2.7. If during these observations or at any other time, visible emissions appear, a 45CSR7A-2.1.a,b evaluation must be conducted within twenty-four (24) hours unless corrective action is taken and recorded. The permittee is required to keep appropriate records of all evaluations, observations, and corrective actions. Based upon this frequency of monitoring, and EPA's approval of similar provisions for other like facilities WVDAQ believes that the periodic monitoring approach for this facility is appropriate.

The Baghouses 260F, 265A, and 265B, are subject to the particulate matter emissions limits of 45CSR§7-4.1. The limits are calculated by interpolation from Table 45-7A with the corresponding process weight rates. The permittee has more stringent PM limits for the Baghouses 265A, 265B, and 260F, which are given in Condition 6.1.4. Therefore, compliance with the more stringent limits of Condition 6.1.4 will show compliance with the limits calculated from Rule 7. Condition 6.2.3 requires material balances around the baghouses, as well as monthly pressure drop measurements around the baghouses in order to show that the baghouses are operating correctly. By monitoring the pressure drop to show proper operation and maintenance, as well as calculating the emission rates through material balances, this will show compliance with the Rule 7 limit.

3. *45CSR13 – Permits for Construction*

Condition 6.1.3 sets the production rates taken from the R13-223 Application. Condition 6.1.1 limits the usage rates of the raw materials. By limiting the raw materials, this will ensure the production limits of Condition 6.1.3. Records of the usage of the raw materials is required by Condition 6.4.6. Records of Sevin production is required in Condition 6.4.7.

Condition 6.1.2 establishes limits for the usage of Sevin Powder in the Sevin Distribution Process. Condition 6.4.6 requires the Permittee to maintain records of the usage of the Sevin Powder. Condition 6.1.17 sets toluene and chloroform emission limits for the Scrubber 260A. Condition 6.1.8 sets the proper operating conditions for the Scrubber. Condition 6.2.1 has monitoring requirements for the Scrubber.

There were some pieces of equipment that had an emission limit of 8 lbs/hr of hydrocarbons permitted in R13-223. However, as a result of R13-1300, these emissions are sent to the Process Thermal Oxidizer 260K which reduces emissions far greater than allowed under R13-223. Therefore compliance with Condition 6.1.5 (which reduces hydrocarbon emissions by at least 98%) will show compliance with the hydrocarbon limits from R13-223.

4. 40CFR63 Subpart F, G, and H – *Hazardous Organic NESHAP's*

*Process Vents*

The Group 1 Process Vents are allowed by Condition 6.1.13 to use a thermal incinerator to reduce emissions. The facility uses a Process Thermal Oxidizer (260K) to control emissions from the Sevin Production area, as well as many other processes throughout the plant. Condition 6.1.16 requires the facility to use Subpart H requirements to check for Equipment Leaks. Condition 6.2.5 and 6.2.6 require flame monitors, proper calibration, and flow indicators for the PTO. Condition 6.3.1 requires the Permittee to comply with all applicable test methods for Subpart H. Condition 6.4.2 requires the Permittee to keep records of records when the PTO was not operating. Condition 6.5.6 and 6.5.7 have Subpart H reporting requirements for the PTO.

5. 45CSR21 – *Prevent and Control Air Pollution From the Emission of Volatile Organic Compounds*

The facility has an existing Rule 21 consent order that is applicable to this Group. The limits are specified in Condition 6.1.3. The facility is required to provide leak detection from 45CSR§21-37. However, the facility already performs LDAR leak detection from Subpart H, which is more stringent than Rule 21. Therefore, the facility will show compliance with the Rule 21 limit by performing Subpart H leak detection for the Sevin Distribution area. Conditions 6.5.1 and 6.5.2 specify reporting requirements for excess emissions and allowances for variances under Rule 21.

6. 45CSR27 – *Prevent and Control Air Pollution From the Emission of Toxic Air Pollutants*

The facility has an existing Rule 27 Consent Order that has Benzene and Chloroform limits for the emission units in the Sevin Distribution process. These limits are given in Condition 6.1.4. To show compliance with the limits from the Consent Order, the facility was required by Rule 27 to develop a Best Available Technology (BAT) plan. As the facility already performs LDAR leak detection from Subpart H, they have incorporated this into their BAT plan in order to show compliance with the Benzene and Chloroform limits of Condition 6.1.4. This is given in Condition 6.1.15.

### **Non-Applicability Determinations**

The following requirements have been determined not to be applicable to the subject facility due to the following:

**None**

### **Request for Variances or Alternatives**

None

### **Insignificant Activities**

Insignificant emission unit(s) and activities are identified in the Title V application.

### **Comment Period**

Beginning Date: November 14, 2006

Ending Date: December 14, 2006

All written comments should be addressed to the following individual and office:

Mike Egnor  
Title V Permit Writer  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 – 57<sup>th</sup> Street SE  
Charleston, WV 25304

### **Procedure for Requesting Public Hearing**

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

### **Point of Contact**

Mike Egnor  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 – 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304/926-0499 ext: 1208 • Fax: 304/926-0478

### **Response to Comments (Statement of Basis)**

Not applicable.