

West Virginia Department of Environmental Protection  
Division of Air Quality

*Earl Ray Tomblin*  
Governor

*Randy C. Huffman*  
Cabinet Secretary

# Permit to Operate



Pursuant to  
**Title V**  
of the Clean Air Act

*Issued to:*  
AGC Flat Glass North America, Inc.  
Jerry Run Facility  
R30-09100002-2011

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*John A. Benedict*  
Director

*Issued: April 13, 2011 • Effective: April 27, 2011*  
*Expiration: April 13, 2016 • Renewal Application Due: October 13, 2015*

Permit Number: **R30-09100002-2011**  
Permittee: **AGC Flat Glass North America, Inc.**  
Facility Name: **Jerry Run Facility**  
Mailing Address: **Rural Route 3, Box 151N, Bridgeport, WV 26330**

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*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

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Facility Location:	Rosemont, Taylor County, West Virginia
Mailing Address:	Rural Route 3, Box 151N, Bridgeport, WV 26330
Telephone Number:	(304) 842-8193
Type of Business Entity:	Corporation
Facility Description:	Glass Manufacturing Facility
SIC Codes:	3211 Primary; N/A Secondary; N/A Tertiary
UTM Coordinates:	570.30 km Easting • 4348.60 km Northing • Zone 17

Permit Writer: Wayne Green

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [ §§ 22B-1-1 et seq. ], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.*

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## 1.0 Emission Units and Active R13, R14, and R19 Permits

### 1.1 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<b>Raw Materials, Receiving, Storage, and Batching Emissions Group</b>					
002-01	001	Raw Material Silo #1	1974	2,081 Tons	Baghouse 0001
002-02	002	Raw Material Silo #2	1974	545 Tons	Baghouse 0002
002-03	003	Raw Material Silo #3	1974	617 Tons	Baghouse 0003
002-04	004	Raw Material Silo #4	1974	209 Tons	Baghouse 0004
002-05	005	Raw Material Silo #5	1974	147 Tons	Baghouse 0005
002-06	006	Raw Material Silo #6	1974	3,344 Tons	Baghouse 0006
002-07	014	Cullet Silo	1974	1,484 Tons	Dust Collector 0007
003-01	007	Check Scale Above Mixers: Batch Preparation	1974	31.729 TPH	Baghouse 0008
003-02	008	Batch Transfer Equipment above Furnace Building	1974	31.729 TPH	Covered
003-03	016	Raw Material Bins & Scales	1974	31.729 TPH	Baghouse 000A
018	018	Batch House Vacuum Cleaner	1974	66,066 LB/hr	Baghouse 018
<b>Furnaces Emission Group</b>					
001-01	301	Furnace	1974	448.8 MMBtu/hr	None
006-03	302	Adipic Acid Spray Booth	1974	27,083.5 LB/hr	Scrubber 000G
<b>Cullet Return and Pente Systems Emissions Group</b>					
004-01	017/592	Spur Line Crushers & Edge Trim Crusher	1974	8.13 tons/hr	Baghouse 000B
004-01	594	Cullet Storage Bin	1974	1,484 Tons	Baghouse 000B
004-01	594	Truck Loadout to Dump Truck	1974		None
004-01	594	Cullet Stockpile from Dump Truck	1974		None
592	592	End of Line Crushers	1974	8.13 tons/hr	Baghouse 000B
004-01	017/592	Conveyor Belts	1974	8.13 tons/hr	Baghouse 000B
004-01	017/592	Bucket Elevator	1974	8.13 tons/hr	Baghouse 000B
<b>Saw Dust from Packing Operation Fugitive Emissions Group</b>					
006-01	012	Power Saws for Wood Cutting	1974	2.0 M Board Feet	Baghouse 000E
006-02	009	Wood Saws (Lumber from Off Site)	1974	2.0 M Board Feet	Baghouse 000E
596	596	Sawdust Bin-Truck Loadout	1974	187,500 LB	None
006-02	009	Sawdust Cyclone	1974	95% Efficient	Baghouse 000E
594	594	Dump Trucks	1974	187,500 LB	None
596	596	Maintenance: Machine Shop Cyclone	1974	90%	None
<b>Miscellaneous Emissions Group</b>					
591	591	Paint Fugitives	1974	1,000 gal	None

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<b>Diesel Engines Emissions Group</b>					
008-01	503 & 504	Emergency Generator #1	1974	1 MMBtu/hr	None
008-02	505 & 506	Emergency Generator #2	1974	1 MMBtu/hr	None
702	702	Storage Tank for Emergency Generators	1974	2,000 Gallons	None
501	501	Emergency Fire Pump Engine #1	1974	215 HP	None
502	502	Emergency Fire Pump Engine #2	1974	215 HP	None
708	708	Storage Tank for Fire Pump Engines 1	1974	500 gallons	None
709	709	Storage Tank for Fire Pump Engines 2	1974	500 gallons	None
590	590	Fugitive Sulfur Dioxide Emissions	1974	7.2 TPY	None
595	595	Glass Rolls Fugitives Emissions	1974	9,000 Gallons	None

**Virtual Stacks (Fugitives) Listing**

Stack ID Number	Virtual Stack Description
590	SO <sub>2</sub> Fugitives from Furnace Emission Group
591	Glass Cutters Fugitives Emissions
592	Pente System Fugitive Emissions Group
593	SO <sub>2</sub> Fugitives from Tempering Emission Group
594	Cullet Emissions from Pente System Fugitive Emissions Group
595	Glass Rolls Fugitives Emissions
596	Saw Dust Fugitives from Packing Operator Emissions
701	500 Gallon Gasoline Storage Tank
702	2000 gal Diesel Fuel Storage Tank Fugitive Emissions
708	500 gal Diesel Fuel Storage Tank 1 Fugitive Emissions
709	500 gal Diesel Fuel Storage Tank 2 Fugitive Emissions

**1.2. Active R13, R14, and R19 Permits**

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-0080C	November 21, 2006

## 2.0 General Conditions

### 2.1 Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

### 2.2 Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>pph</b>	Pounds per Hour
<b>CO</b>	Carbon Monoxide	<b>ppm</b>	Parts per Million
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>PSD</b>	Prevention of Significant Deterioration
<b>DAQ</b>	Division of Air Quality	<b>psi</b>	Pounds per Square Inch
<b>DEP</b>	Department of Environmental Protection	<b>SIC</b>	Standard Industrial Classification
<b>FOIA</b>	Freedom of Information Act	<b>SIP</b>	State Implementation Plan
<b>HAP</b>	Hazardous Air Pollutant	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>HON</b>	Hazardous Organic NESHAP	<b>TAP</b>	Toxic Air Pollutant
<b>HP</b>	Horsepower	<b>TPY</b>	Tons per Year
<b>lbs/hr or lb/hr</b>	Pounds per Hour	<b>TRS</b>	Total Reduced Sulfur
<b>LDAR</b>	Leak Detection and Repair	<b>TSP</b>	Total Suspended Particulate
<b>m</b>	Thousand	<b>USEPA</b>	United States Environmental Protection Agency
<b>MACT</b>	Maximum Achievable Control Technology	<b>UTM</b>	Universal Transverse Mercator
<b>mm</b>	Million	<b>VEE</b>	Visual Emissions Evaluation
<b>mmBtu/hr</b>	Million British Thermal Units per Hour	<b>VOC</b>	Volatile Organic Compounds
<b>mmft<sup>3</sup>/hr or mmcf/hr</b>	Million Cubic Feet Burned per Hour		
<b>NA or N/A</b>	Not Applicable		
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		

### **2.3. Permit Expiration and Renewal**

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.  
**[45CSR§30-5.1.b.]**
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.  
**[45CSR§30-4.1.a.3.]**
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.  
**[45CSR§30-6.3.b.]**
- 2.3.4. If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.  
**[45CSR§30-6.3.c.]**

### **2.4. Permit Actions**

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
**[45CSR§30-5.1.f.3.]**

### **2.5. Reopening for Cause**

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
  - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

**[45CSR§30-6.6.a.]**

## **2.6. Administrative Permit Amendments**

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.  
[45CSR§30-6.4.]

## **2.7. Minor Permit Modifications**

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.  
[45CSR§30-6.5.a.]

## **2.8. Significant Permit Modification**

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.  
[45CSR§30-6.5.b.]

## **2.9. Emissions Trading**

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.  
[45CSR§30-5.1.h.]

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
  - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c. The change shall not qualify for the permit shield.
  - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
  - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.

- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9.]**

## **2.11. Operational Flexibility**

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

**[45CSR§30-5.8]**

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

**[45CSR§30-5.8.a.]**

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

**[45CSR§30-5.8.c.]**

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

**[45CSR§30-2.39]**

## **2.12. Reasonably Anticipated Operating Scenarios**

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
  - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
  - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

## **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

## **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

## **2.15. Schedule of Compliance**

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

**[45CSR§30-5.3.d.]**

## **2.16. Need to Halt or Reduce Activity not a Defense**

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

**[45CSR§30-5.1.f.2.]**

## **2.17. Emergency**

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

**[45CSR§30-5.7.a.]**

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

**[45CSR§30-5.7.b.]**

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

**[45CSR§30-5.7.c.]**

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

**[45CSR§30-5.7.d.]**

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**[45CSR§30-5.7.e.]**

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

**[45CSR§30-5.2.a.]**

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

**[45CSR§30-5.1.f.5.]**

## **2.20. Duty to Supplement and Correct Information**

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

**[45CSR§30-4.2.]**

## **2.21. Permit Shield**

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

**[45CSR§30-5.6.a.]**

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

**[45CSR§30-5.6.c.]**

## **2.22. Credible Evidence**

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

**[45CSR§30-5.3.e.3.B. and 45CSR38]**

## **2.23. Severability**

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

**[45CSR§30-5.1.e.]**

## **2.24. Property Rights**

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

**[45CSR§30-5.1.f.4]**

## **2.25. Acid Deposition Control**

- 2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.
- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.
  - b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
  - c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

### **[45CSR§30-5.1.d.]**

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

### **[45CSR§30-5.1.a.2.]**

### 3.0 Facility-Wide Requirements

#### 3.1 Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1 State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.

- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161.

**[40 C.F.R. 82, Subpart F]**

- 3.1.8. **Risk Management Plan.** This stationary source, as defined in 40 C.F.R. § 68.3, is subject to Part 68. This stationary source shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. Part 68.10. This stationary source shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

**[40 C.F.R. 68]**

- 3.1.9. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 45CSR§7- 3.2 (See Section 3.1.10), 3.3, 3.4, 3.5, 3.6, and 3.7 (See Section 3.1.11.).

**[45CSR§7-3.1.]**

- 3.1.10. The provisions of Section 3.1.9 [45CSR§7-3.1.] shall not apply to smoke and/or particulate matter emitted from any process source operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period.

**[45CSR§7-3.2.]**

- 3.1.11. No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to Section 3.1.14 [45CSR§7-5.1.] is required to have a full enclosure and be equipped with a particulate matter control device.

**[45CSR§7-3.7., Group 002 (002-01, 002-03, 002-04, 002-05, 002-06, 002-07)]**

- 3.1.12. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7. Following table list the equipment with their allowable stack emission rates.

Stack Emission Sources			Allowable Stack Emission Rate
Emission Unit ID	Source	Emission Point ID	lb PM/hr
001-01	Furnace	301	31.17
003-03	Batching Baghouse #3	016	31.64
004-01	Pente System Baghouse	017	31.17
018	Batching Baghouse for Batch house vacuum cleaner	018	31.64

**[45CSR§7-4.1.]**

- 3.1.13. Any stack serving any process source operation or air pollution control equipment on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures.

**[45CSR§7-4.12.]**

- 3.1.14. No person shall cause, suffer, allow, or permit any manufacturing process generating fugitive particulate matter to operate that is not equipped with a system to minimize the emissions of fugitive particulate matter. To minimize means that a particulate capture or suppression system shall be installed to ensure the lowest fugitive particulate emissions reasonably achievable.  
**[45CSR§7-5.1.]**
- 3.1.15. The owner or operator of a plant shall maintain dust control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary dust suppressants shall be applied in relation to stockpiling and general material handling to prevent dust generation and atmospheric entrainment.  
**[45CSR§7-5.2.]**
- 3.1.16. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in 45CSR7 may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.  
**[45CSR§7-9.1.]**
- 3.1.17. Maintenance operations (as defined in 45CSR7) shall be exempt from the provisions of 45CSR§7-4 provided that at all times the owner or operator shall conduct maintenance operations in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Director, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source.  
**[45CSR§7-10.3.]**
- 3.1.18. When emissions on an annual basis of one or more of the greenhouse gases listed below are greater than the *de minimis* amounts listed below, all greenhouse gases emitted above the *de minimis* amounts shall be reported to the Secretary under 45CSR§42-4 (see Section 3.5.10.):

<b>Greenhouse Gas Compound</b>	<b>tons/year</b>
carbon dioxide	10,000
methane	476
nitrous oxide	32.6
hydrofluorocarbons	0.855
perfluorocarbons	1.09
sulfur hexafluoride	0.42

**[45CSR§42-3.1., State-Enforceable only.]**

- 3.1.19. The Permittee shall comply with all applicable requirements of 40 C.F.R. Part 63 Subpart ZZZZ, by October 19, 2013 for the two emergency generators (1,540 HP each) and two fire pumps (215 HP each).  
**[40 C.F.R. § 63.6595 (a) (1), (008-01, 008-02, 501, 502)]**

### 3.2. Monitoring Requirements

- 3.2.1. The permittee shall conduct monitoring/Record Keeping/reporting as follows. [Not required for open stockpiles and haulroads.]

The permittee shall perform weekly Method 22-like visible emission checks for particulate matter emission activities for the emission sources identified in the Emission Unit Table, Section 1.0. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60, Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60 Appendix A, Method 9 certification course.

- a. The visible emission check shall be performed during periods of normal facility operation and appropriate weather conditions and for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present and.
- b. If any of the subject emission points have visible emissions exceeding the regulatory limit of twenty percent (20%) opacity, then a 45CSR7A evaluation shall be conducted immediately after the violation of the regulatory limit unless the permittee can demonstrate a valid reason that the time frame should be extended. A 45CSR7A evaluation shall not be required if the condition resulting in the excess visible emissions is corrected within 24 hours and the units are operated at normal operating conditions.
- c. A record of each visible emissions observation shall be maintained, including any data required by 40 C.F.R. 60 Appendix A, Method 22 or 45CSR7A, whichever is appropriate. The record shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer. Records shall be maintained on site stating any maintenance or corrective actions taken as a result of the monthly observations, and the times the fugitive dust control system(s) are inoperable and any corrective actions taken.

**[45CSR§30-5.1.c.]**

- 3.2.2. The permittee shall operate all control devices and monitor each to ensure that they are operated and maintained to ensure the lowest fugitive particulate emissions reasonably achievable. The permittee shall maintain instrumentation on all dust collectors for pressure drop observations. The pressure drop across the baghouse will be measured once per month and the value recorded. The measured value shall be compared to the optimal operating pressure range as determined by the manufacturer. The permittee shall maintain records of the maintenance performed on each baghouse. These records shall include all maintenance work performed on each dust collector including the frequency of bag/filter change outs. Records shall state the date and time of each dust collector inspection, the inspection results, and corrective action taken, if any. Records shall be maintained on site for five (5) years from the record creation date. For the adipic acid scrubber, the spray nozzles will be inspected quarterly for proper operation and an inspection report shall be maintained on site.

**[45CSR§30-5.1.c.]**

### 3.3. Testing Requirements

- 3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:
- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
  - b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.
  - c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
  - d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
    1. The permit or rule evaluated, with the citation number and language.
    2. The result of the test for each permit or rule condition.
    3. A statement of compliance or non-compliance with each permit or rule condition.

**[WV Code §§ 22-5-4(a)(14-15) and 45CSR13, R13-0080, 3.3.1.]**

- 3.3.2. The Director, or his duly authorized representative, may conduct such other tests as he or she may deem necessary to evaluate air pollution emissions other than those noted in 45CSR§10-3 (Section 4.1.2.).  
**[45CSR§10-8.1.b.]**

### **3.4. Recordkeeping Requirements**

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
- a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

**[45CSR§30-5.1.c.2.A., 42CSR13, R13-0080, 4.4.1.]**

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

**[45CSR§30-5.1.c.2.B.]**

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

**[45CSR§30-5.1.c. State-Enforceable only.]**

- 3.4.4. The permittee shall maintain records indicating the use of any dust suppressants or other suitable dust control measures applied at the facility. These records shall be maintained on site.

**[45CSR§30-5.1.c.]**

### **3.5. Reporting Requirements**

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**[45CSR§§30-4.4. and 5.1.c.3.D.]**

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31. [45CSR§30-5.1.c.3.E.]
- 3.5.3. Except for the electronic submittal of the annual certification to the USEPA as required in 3.5.5 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, mailed first class or by private carrier with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**If to the DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
  
Phone: 304/926-0475  
FAX: 304/926-0478

**If to the US EPA:**

Associate Director  
Office of Enforcement and Permits Review  
(3AP12)  
U. S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

- 3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. [45CSR§30-8.]
- 3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The annual certification to the USEPA shall be submitted in electronic format only. It shall be submitted by e-mail to the following address: [R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov). The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. [45CSR§30-5.3.e.]
- 3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. [45CSR§30-5.1.c.3.A.]
- 3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17 of this permit.

3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.
  3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
  4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

[45CSR§30-5.1.c.3.C.]

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.  
[45CSR§30-5.1.c.3.B.]

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.  
[45CSR§30-4.3.h.1.B.]

- 3.5.10. **Greenhouse Gas Reporting Requirements.** When applicable, as determined in permit section 3.1.18, greenhouse gas emissions shall be reported pursuant to 45CSR§42-4 including the following:
- a. In accordance with a reporting cycle provided by the Secretary, affected sources shall report to the Secretary the quantity of all greenhouse gases emitted above *de minimis* amounts in the years specified by the Secretary.  
[45CSR§42-4.1., State-Enforceable only.]

- b. Affected sources shall only be required to report annual quantities of anthropogenic non-mobile source greenhouse gases emitted at the stationary source, and shall not be required to report biogenic emissions of greenhouse gases.

**[45CSR§42-4.2., State-Enforceable only.]**

- c. Reports of greenhouse gas emissions submitted to the Secretary under 45CSR§42-4 shall be signed by a responsible official and shall include the following certification statement: “I, the undersigned, hereby certify that the data transmitted to the West Virginia Department of Environmental Protection is true, accurate, and complete, based upon information and belief formed after reasonable inquiry.

**[45CSR§42-4.5., State-Enforceable only.]**

**3.6. Compliance Plan**

- 3.6.1. None

**3.7. Permit Shield**

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

<b>45CSR2</b>	AGC Flat Glass North America Industries, Inc., Furnace is not subject to 45CSR2 because the Furnace is direct fired.
<b>45CSR10</b>	A DAQ determination was made that 45CSR10 does not apply to the generators at the Jerry Run facility since the generators are not manufacturing process source operations. Also, the facility is not subject to 45CSR§10-5 since it does not refine or process gas streams.
<b>45CSR17</b>	AGC Flat Glass North America Industries, Inc. is subject to 45CSR7 which exempts it from 45CSR17, To Prevent and Control Particulate Matter Air Pollution from Materials Handling, Preparation, Storage and Other Sources of Fugitive Particulate Matter, as stated in 45CSR§7-10.2.
<b>45CSR33</b>	Acid Rain Provisions and Permits do not apply to AGC Flat Glass North America Industries, Inc. because it is not considered a Title IV (Acid Rain) Source.
<b>40 C.F.R. Part 60 Subpart CC</b>	Standards of Performance for Glass Manufacturing Plants do not apply because AGC Flat Glass North America Industries, Inc. glass manufacturing operation precedes the NSPS Subpart CC date of October 24, 1979.
<b>40 C.F.R. Part 60 Subpart OOO</b>	40 C.F.R. Part 60 Subpart OOO does not apply to AGC Flat Glass North America Industries, Inc. since the facility commenced construction, modification, or reconstruction in 1974, prior to the August 31, 1983 date for 40 C.F.R. Part 60 Subpart OOO.
<b>40 C.F.R. Part 61 Subpart N</b>	AGC Flat Glass North America Industries, Inc. is not subject to National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants because it does not use arsenic in its process.

<b>40 C.F.R. Part 63 Subpart SSSSSS</b>	National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources. AGC Flat Glass North America, Inc. Jerry Run Facility is not subject to 40 C.F.R. Part 63 Subpart SSSSSS since the company provided a letter stating that the facility will no longer use manganese or any other a glass manufacturing metal HAP in their glass manufacturing process.
<b>40 C.F.R. Part 64</b>	This is the second permit renewal for this facility. The facility was found not to be subject to CAM at the time of the first renewal. Therefore, a CAM determination is not required.
<b>40 C.F.R. Part 72</b>	Acid Rain Program General Provisions does not apply to AGC Flat Glass North America Industries, Inc. because it is not considered a Title IV (Acid Rain) Source.

#### 4.0 Furnace and Adipic Acid Spray Booth Requirements [001-01 and 006-03 emission point ID: 301 and 302]

##### 4.1. Limitations and Standards

- 4.1.1. Emissions from the furnace identified in permit application R13-0080B as furnace 301 shall not exceed the following:

Pollutant	Pounds per Hour	Tons per Year
NO <sub>x</sub>	396	1,734.0
CO	15.5	67.9
VOC	3.2	14.0
SO <sub>2</sub>	135	591.3
PM	27.4	120.0
H <sub>2</sub> SO <sub>4</sub>	30.9	135.3

[45CSR13, R13-0080, 4.1.1., 001-01]

- 4.1.2. No person shall cause, suffer, allow or permit the emission into the open air from any source operation an in-stack sulfur dioxide concentration exceeding 2,000 parts per million by volume from existing source operations, except as provided in 45CSR§§10-4.1.a through 4.1.e.

[45CSR§§10-4.1., 45CSR13, R13-0080, 4.1.2., 001-01 and 006-03]

- 4.1.3. The Stack 301 sulfuric acid mist stack gas concentration shall not exceed 35 mg/dscm.

[45CSR§7-4.2., 45CSR13, R13-0080, 4.1.3, 001-01]

- 4.1.4. Daily glass production from the furnace shall not exceed 650 tons per day.

[45CSR13, R13-0080, 4.1.4., 001-01]

- 4.1.5. The maximum heat input to the furnace shall not exceed 448.8 MMBTU per hour nor 3,931,488 MMBTU per year.

[45CSR13, R13-0080, 4.1.5., 001-01]

- 4.1.6. The permittee shall apply for and receive a permit modification prior to the use of any commercial arsenic (as defined in 40 C.F.R. Part 61 Subpart N) as a raw material. The permit application shall address any and all means which will be used to comply with 40 C.F.R. Part 61 Subpart N and any other applicable rule or regulation.

[45CSR13, R13-0080, 4.1.6.]

- 4.1.7. Opacity from the furnace stack shall not exceed 20%.

[45CSR§7-3.1, 45CSR13, R13-0080, 4.1.7., 001-01]

- 4.1.8. The amount of salt cake charged to the furnace shall not exceed 310.3 pounds per hour.

[45CSR13, R13-0080, 4.1.8., 001-01]

- 4.1.9. The facility shall not use manganese or any other glass manufacturing metal HAP as defined in 40 C.F.R. Part 63 Subpart SSSSSS in the manufacturing of glass products. The subsequent use of manganese or any other glass manufacturing metal HAP as defined in 40 C.F.R. Part 63 Subpart SSSSSS, requires that the facility comply with the applicable emission limit specified in 40 C.F.R. § 63.11451 within 2 years of the date on which the facility begins production of a glass product that contains a glass manufacturing metal HAP per 40 C.F.R. § 63.11450 (d). The facility must submit a Notification of Compliance Status as required by 40 C.F.R. § 63.11453 (a) and an Initial Notification in accordance with 40 C.F.R. § 63.11456 (a)."  
**[45CSR§30-12.7.]**

## **4.2. Monitoring Requirements**

- 4.2.1. Tests conducted by AGC have determined that 87% of applied SO<sub>2</sub> is deposited on each square foot of glass becomes fugitive. In order to determine compliance with the SO<sub>2</sub> limit of 2000 ppm, established in Section 4.1.3, the permittee shall monitor the square footage of glass produced along with the flowrate of SO<sub>2</sub> on a weekly basis. Calculations shall be made utilizing the emission factor above to determine the amount of SO<sub>2</sub> emitted from glass treatment. Records containing the square footage of glass, the SO<sub>2</sub> flowrate and the calculated SO<sub>2</sub> value shall be maintained on site.  
**[45CSR§30-5.1.c.]**

- 4.2.2. At the request of the Director the owner and/or operator of a source shall install such stack gas monitoring devices as the Director deems necessary to determine compliance with the provisions of 45CSR10. The data from such devices shall be readily available at the source location or such other reasonable location that the Director may specify. At the request of the Director, or his or her duly authorized representative, such data shall be made available for inspection or copying. Failure to promptly provide such data shall constitute a violation of 45CSR10.  
**[45CSR§10-8.2.a.]**

- 4.2.3. Compliance with the visible emission requirements for the Furnace stack shall be determined by conducting monthly Method 22-like visible emission checks. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40 C.F.R. Part 60 Appendix A, Method 22 or from the lecture portion of the 40 C.F.R. Part 60 Appendix A, Method 9 certification course.

The visible emission check shall be performed during periods of normal facility operation and appropriate weather conditions and for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present and.

If visible emissions are present during these checks or at any other time, compliance shall be determined by conducting tests in accordance with Method 9 of 40 C.F.R. 60 Appendix A

**[45CSR§30-5.1.c., 001-01]**

- 4.2.4. The permittee shall monitor the furnace gas usage on a daily basis.  
**[45CSR13, R13-0080, 4.2.1., 001-01]**
- 4.2.5. The permittee shall monitor the furnace glass production on a daily basis.  
**[45CSR13, R13-0080, 4.2.2., 001-01]**
- 4.2.6. The permittee shall monitor the amount of salt cake charged to the furnace on a monthly basis.  
**[45CSR13, R13-0080, 4.2.3., 001-01]**

- 4.2.7. The permittee shall monitor the furnaces hours of operation per month.  
[45CSR13, R13-0080, 4.2.4., 001-01]

### 4.3. Testing Requirements

- 4.3.1. In order to determine compliance with the hourly emissions limits set forth in Section 4.1.1 of this permit and the stack gas concentration limits set forth in Sections 4.1.2 and 4.1.3 of this permit, the permittee shall perform EPA approved stack tests on the furnace exhaust stack for each pollutant listed in Table 4.1.1 of this permit (except SO<sub>2</sub> and H<sub>2</sub>SO<sub>4</sub>) as outlined in the following table. Said stack tests shall be used to determine a “lb of pollutant per ton of glass produced” emission factor. This emission factor along with glass production records shall be used to determine compliance with the annual VOC, PM, NO<sub>x</sub> and CO emission limits set forth in Section 4.1.1.

Tests for nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) were conducted in October of 2006 for the Furnace and resulted in mass emission rates greater than 60%. The test results showed that the current nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) testing frequency is Once/3 years. Tests for particulate matter (PM) and carbon monoxide (CO) conducted in October of 2006 resulted in mass emission rates ≤ 60%. The results of this test showed that the current particulate matter (PM) and carbon monoxide (CO) testing frequency is Once/5 years. Subsequent testing to determine compliance with the nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), carbon monoxide (CO), and Volatile Organic Compounds (VOC) limitations of Section 4.1.1 shall be conducted in accordance with the schedule set forth in the following table.

Since production was halted at the Jerry Run Facility in February of 2009, and continues to be idle at this time, no stack testing for NO<sub>x</sub> and VOC was done in October of 2009. After the facility restarts operations and is manufacturing glass, a subsequent compliance test shall be performed within 180 days for all pollutants.

Test	Test Results	Testing Frequency
Once/3 years	≤ 60 % of limits	Once/5 years
Once/3 years	> 60 % of limits	Once/3 years
Once/5 years	≤ 60 % of limits	Once/5 years
Once/5 years	> 60 % of limits	Once/3 years

[45CSR§7-8.1., 45CSR§30-5.3.a., 45CSR13, R13-0080, 4.3.1., 001-01]

### 4.4. Recordkeeping Requirements

- 4.4.1. The permittee shall keep daily records of the furnace gas usage, which shall be certified upon request of the Director.  
[45CSR13, R13-0080, 4.4.4., 001-01]
- 4.4.2. The permittee shall keep daily records of the furnace glass production, which shall be certified upon request of the Director.  
[45CSR13, R13-0080, 4.4.5., 001-01]
- 4.4.3. The permittee shall keep daily records of the amount of salt cake charged to the furnace, which shall be certified upon request of the Director.  
[45CSR13, R13-0080, 4.4.6., 001-01]

4.4.4. The permittee shall keep daily records of the furnace's hours of operation, which shall be certified upon request of the Director.

**[45CSR13, R13-0080, 4.4.7., 001-01]**

4.4.5. The permittee shall keep daily records of the amount of raw material charged to the furnace, which shall be certified upon request of the Director.

**[45CSR13, R13-0080, 4.4.8., 001-01]**

#### **4.5. Reporting Requirements**

4.5.1. See Section 3.5.

#### **4.6. Compliance Plan**

4.6.1. None