

# Fact Sheet



## For Final Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

This Fact Sheet serves to address the changes specific to this Minor Modification, and shall be considered a supplement to the Fact Sheet corresponding with the Title V operating permit issued on February 17, 2010.

Permit Number: **R30-02900008-2010**  
Application Received: **April 29, 2011**  
Plant Identification Number: **03-54-029-00008**  
Permittee: **Ergon - West Virginia, Inc.**  
Mailing Address: **P.O. Box 356 Newell, WV 26050**

Permit Action Number: *MM02*      Revised: *November 29, 2011*

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Physical Location:                      Newell, Hancock County, West Virginia  
UTM Coordinates:                      531.25 km Easting • 4495.35 km Northing • Zone 17  
Directions:                                Two miles south of Newell on State Route 2.

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### Facility Description

Ergon - West Virginia, Inc. (EWVI) owns and operates a petroleum refinery (SIC 2911 and NAICS 32411) in Newell, West Virginia. The refinery processes crude oil and produces several petroleum products such as diesel, gasoline, kerosene, and crude oils. The facility has the potential to operate twenty-four (24) hours a day for seven (7) days per week.

This minor modification is to include R13-2334Q in the Title V Permit, which is to (1) construct a new naphtha splitter; (2) construct a new 40,000 gallon bio-diesel storage tank; (3) increase or modify truck loading throughputs; and (4) re-calculate HAP emissions from barge loading which resulted in an increase.

**Emissions Summary**

Plantwide Emissions Summary [Tons per Year]				
Criteria Pollutants	Potential Emissions			
	Initial	MM01	MM02	Total
Volatile Organic Compounds (VOC)	204.42	27.07 Increase	6.33 <sup>1</sup> Increase	237.81
Hazardous Air Pollutants	5.54	0.00	2.01 <sup>2</sup> Increase	7.54

<sup>1</sup> Based on the R13-2334Q Engineering Evaluation (page 7 of 11), the emissions increase from truck loading was 5.52 tons of VOC per year, the emissions increase from the new bio-diesel tank was 0.02 tons of VOC per year, and the emissions increase from the new Naphtha Splitter was 0.79 tons of VOC per year.

<sup>2</sup> The HAP emissions increase includes 1.48 TPY for barge loading (MLD). This HAP emissions increase is an increase on paper that Ergon proposed to be consistent with current emission calculation methodologies and speciations. Other HAP emissions increases are due to the new naphtha splitter (0.215 tons per year) and truck loading throughput increases (0.312 tons per year).

**Title V Program Applicability Basis**

With the proposed changes associated with this modification, this facility maintains the potential to emit 238.64 tons per year of carbon monoxide, 273.9 tons per year of nitrogen oxides, 132.83 tons per year of sulfur dioxide, and 237.81 tons per year of volatile organic compounds. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, Ergon -West Virginia, Inc. 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.

The modification to this facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR13	Permits for Construction, Modification, Relocation and Operation of Stationary Sources
	45CSR30	Operating permit requirement.
State Only:	None	

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the 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, 45CSR34 and 45CSR30.

### Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit ( <i>if any</i> )
R13-2334Q	May 26, 2011	

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

The changes proposed under R13-2334Q were to:

- a. Construct a new naphtha splitter [NS-FUG] that is essentially a separation unit. The unit is a closed system with only fugitive emissions. These fugitive emissions (pumps, valves, and connectors) are subject to LDAR monitoring.
- b. Construct a new 40,000 gallon fixed-roof bio-diesel storage tank [TK-4066] that will be blended into the Ultra-Low Sulfur Diesel (ULSD) fuel that is produced at the facility, in the range of 2 to 10 percent.
- c. Increase truck loading product throughputs from the existing truck loading rack by approximately 15%, to 404.8 MM gal/year from 344.6 MM gal/year. The VOC will be controlled by the thermal oxidizer (EP ID: OXIDIZER).
- d. Re-calculate HAP emissions from barge loading [MLD] using current HAP profiles by increasing and updating HAP emissions (paper only) from barge loading (MBL) to be consistent with current emission calculation methodologies and speciations (see Section 6.1.2.).

As a result, the following changes were made to the Title V permit under this minor modification MM02:

1. The Emission Units Table (Section 1.1) was updated to reflect:
  - a. The change for truck loading (TLoad) design capacity.
  - b. The addition of Tank 4066 (TK-4066).
  - c. The addition of Naphtha Splitter to the process vessels section.
2. Section 1.2 of Section 1.0 for Emission Units and Active R13, R14, and R19 Permits was updated to the current NSR permit.
3. In Section 3.1.15, R13-2334Q was added to the list of permit applications.
4. The boilerplate language for Section 3.3.1 was revised with the addition of Section 3.3.1.d and the citation was also revised to expand the authority of the West Virginia state code.
5. Section 5.1.6 was not revised into two conditions as it was in the current R13 permit, but the language was revised in accordance with R13-2334Q.

6. In the Section 5.1.6 table, the VOC and benzene emissions were revised to concur with the table in Condition 5.1.7 of R13-2334Q.
7. Section 5.1.12 was removed since this requirement was not included in R13-2334Q because the kerosene tester was never built and the kerosene limits for truck loading were never realized. Also, the reference to Section 5.1.12 was removed from Sections 5.2.3 and 5.2.4.
8. "Annual" replaced "monthly" in Section 5.2.3 to concur with the requirement in Section 5.1.6.
9. "Section 5.1.6" replaced "Section 5.1.12" in Section 5.2.4 since Section 5.1.12 was mistakenly referenced.
10. Section 6.1.2 was revised to current HAP profile (see Item 1.d.) to concur with Condition 6.1.2 of the recent R13 permit.

### **Non-Applicability Determinations**

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: Not Applicable for minor modifications  
Ending Date: N/A

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

Wayne Green  
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**

Wayne Green  
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. 1258 • Fax: 304/926-0478

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

No comments were received.

Two revisions were made to the Title V Permit.

1. Removed “2011” in the “Year Installed” in Section 1.1 of the Emission Unit table for the thermal oxidizer since the load increase did not affect the heating value in the “Design Capacity” column.
2. The citation in Section 3.3.1 was revised to include “14-.”