



### Title V Program Applicability Basis

With the proposed changes associated with this permitting action, this facility maintains the facility-wide potential to emit over 100 tons per year of criteria pollutants. Therefore, Covestro New Martinsville Facility 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 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, 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> )
R13-2443D	June 16, 2016	N/A

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

45CSR13 - Permits for construction, modification, relocation, and operation of stationary sources  
Covestro is planning to convert the existing Ortho-Toluene Diamine (o-TDA) storage tank (EP8) to Meta Toluene Diamine (m-TDA) storage. The existing m-TDA tank (EP9) will be demolished and a new, larger o-TDA tank will be installed at the same location (EP9a). (Please note that the "a" in the nomenclature represents a new tank, while the functional location remains the same)

Current Storage Arrangement

Emission Unit Description	Emission Unit ID	Emission Point ID	Volume (gal)	Material	Annual Throughput Limit Permitted (gal)
RM Tank (STV42)	011-735	EP8	12,800	o-TDA	5,736,698
RM Tank (STV45)	011-137	EP9	7,000	m-TDA	-

New Storage Arrangement

Emission Unit Description	Emission Unit ID	Emission Point ID	Volume (gal)	Material	Annual Throughput Limit Permitted (gal)
RM Tank (STV43)	011-735	EP8	12,800	m-TDA	-
o-TDA storage tank	011-137a	EP9a	16,000	o-TDA	5,736,698

- 1) Updated the Emission Unit ID, Emission Point ID, Emission Unit Description, Year Installed, and Design Capacity for EP9A in the equipment table. Corrected and changed the emission unit description for EP8 and EP41 in the equipment table.
- 2) Switched Emission Point ID#s for EP8 (now EP9a) and EP9 in Conditions 7.1.2 and 7.1.4.

Miscellaneous

Updated the R13-2443C to R13-2443D in Section 1.2. Added R13-2443D to Condition 3.1.9.

**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: N/A  
 Ending Date: N/A

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

Michael Egnor  
 Engineer  
 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**

Michael 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)**

N/A