

# Fact Sheet



For Draft/Proposed Reopening for Cause Permitting Action Under 45CSR30  
and  
Title V of the Clean Air Act

This Fact Sheet serves to address the changes specific to this Reopening for Cause, and shall be considered a supplement to the Fact Sheet corresponding with the Title V operating permit issued on January 19, 2012.

Permit Number: **R30-00300006-2012**  
Application Received: **Not applicable**  
Plant Identification Number: **03-54-003-00006**  
Permittee: **Capitol Cement Corporation**  
Facility Name: **Martinsburg**  
Mailing Address: **1826 South Queen Street, Martinsburg, WV 25401**

Permit Action Number: *RE01*      Revised: *Draft/proposed*

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Physical Location:                      Martinsburg, Berkeley County, West Virginia  
UTM Coordinates:                      243.50 km Easting • 4369.00 km Northing • Zone 18  
Directions:                                Take south Queen Street Exit off of WV State Route 45 at Martinsburg.  
    The facility is 0.5 miles south at the end of Queen Street.

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## Facility Description

Capitol Cement Corporation (Capitol) owns and operates a cement manufacturing plant, which is characterized by SIC Codes 3241 and 1422. The plant operates a preheater/precalciner (PH/PC) kiln system that uses primary coal and petcoke. The PH/PC kiln produces cement clinker, an intermediary product of cement, which is then ground into finished cement. The nominal capacity of the plant is 2,212,890 short tons (stons) per year of clinker. Capitol uses approximately 292,110 stons of coal annually and fly ash from electric power plants. Capitol also has the ability to burn petroleum hydrocarbon contaminated soils that were generated onsite in the PH/PC cement kiln. The facility has the potential to operate twenty-fours (24) hours a day, seven (7) days per week, and fifty-two (52) weeks per year.

### Emissions Summary

There are no changes in potential or actual emissions associated with this permitting action.

### Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit 4,435.98 tpy of CO; 4,005.09 tpy of NO<sub>x</sub>; 584.3 tpy of PM<sub>10</sub>; 4,507.6 tpy of SO<sub>2</sub>; and 155.96 tpy of VOC. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, Capitol Cement Corporation 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 reopening for cause permitting action has been found to be subject to the following applicable rules:

Federal and State:	45CSR30	Operating permit requirement.
	45CSR40	Control of Ozone Season NO <sub>x</sub> Emissions
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> )
R14-026G	November 9, 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

### 45CSR40 – Control of Ozone Season Nitrogen Oxides Emissions.

Multiple permit conditions derived from repealed rule 45CSR1 – *NOx Budget Trading Program as a Means of Control and Reduction of Nitrogen Oxides from Non-electric Generating Units*, were removed in the renewal permit issued January 19, 2012. However, essentially the same requirements are contained in applicable rule 45CSR40, which were inadvertently not incorporated into the renewal permit. Since the requirements of this rule are applicable they must be incorporated into the Title V permit using the procedures for Reopening for Cause outlined in 45CSR§30-6.6.

Affected permit conditions have been accordingly modified as part of this permitting action. The Table E below sets out the affected Title V permit conditions with a discussion detailing the changes.

Repealed 45CSR1 Requirement	Applicable 45CSR40 Requirement	Permit Condition	Discussion of Changes
45CSR§1-100.3	45CSR§40-100.3	4.1.32.	The condition language is direct from the rule, except that “Administrator” is changed to “Secretary”, which is justified by 45CSR§§40-1.1.a. and 2.4.
45CSR§1-100.6.a.	45CSR§40-100.6.a.	4.2.6.	The condition language is direct from the rule.
45CSR§1-100.7	45CSR§40-100.7	4.4.7.	The condition language is direct from the rule.
45CSR§1-100.5.b.	45CSR§40-100.5.b.	4.5.5.	The condition language is direct from the rule.

### 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: (Date of Notice Publication)  
Ending Date: (Publication Date PLUS 30 Days)

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

Denton B. McDerment, PE  
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**

Denton B. McDerment, PE  
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. 1221 • Fax: 304/926-0478

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

**(Choose)** Not applicable.

**OR**

Describe response to comments that are received and/or document any changes to the final permit from the draft/proposed permit.