

# 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 original Fact Sheet corresponding with the issuance of the initial Title V operating permit issued on May 8, 2008.

Permit Number: **R30-05100009-2008**

Application Received: **March 20, 2009**

Plant Identification Number: **03-054-051-00009**

Permittee: **Bayer MaterialScience LLC**

Facility Name: **New Martinsville Facility**

Mailing Address: **North State Route 2, P.O. Box 500, New Martinsville, WV 26155-0500**

*Permit Action Number: MM01*

*Revised: June 12, 2009*

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Physical Location:	Natrium, Marshall County, West Virginia
UTM Coordinates:	514.50 km Easting • 4397.50 km Northing • Zone 17
Directions:	The plant is approximately seven (7) miles north of New Martinsville on WV State Route 2.

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### **Facility Description**

The New Martinsville facility is an integrated chemical plant whose primary purpose is to produce isocyanates, polyesters, polyethers, and acrylics. The majority of the production units in this plant are involved with the production of polyurethane products (isocyanates and polyols). The facility is characterized by primary and secondary SIC codes 2869 and 2821, respectively.

The proposed changes in the permit reflect the demolition of Boiler House #1. Additionally, the permittee requested changes to align the placement of some permit conditions with the current management structure at the site.

### **Emissions Summary**

There is no change in the potential-to-emit (PTE) of any regulated pollutant as a result of this modification.

## Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit 109.7 tpy of NO<sub>x</sub>, and 128.6 tpy of VOC. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, Bayer MaterialScience LLC 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:	45CSR30	Operating permit requirement.
	45CSR34	Emission Standards for HAPs
State Only:	45CSR4	No objectionable odors.

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> )
CO-SIP-2000-02	January 2000	

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 following discussion explains the proposed changes to be made in the various permit sections.

### Permit Subsection 1.1 – Strikeout Boiler House #1 and Boilers #7 and #8

Boilerhouse #1 and the boilers #7 and #8 will be stricken from the emission units table in subsection 1.1 since this building, and these emission units, are being removed from service and demolished.

The Loading Racks 15NN and 15OO will be stricken under the MHD grouping (p.20), and relocated to the HCL and SL group (p.6). The scrubber 9950-515 that controls emissions from Loading Racks 15NN and 15OO will be listed under the control devices for the HCL and SL group (p.21).

#### Permit Section 3.0 – Language and Citation Changes

The language in conditions 3.1.1. and 3.1.2. has been revised to agree with the most recent language in 45CSR6.

In condition 3.1.3., the citation of 45CSR15 has been stricken and replaced with 45CSR34. This is due to the fact that 45CSR15 has been repealed, and 45CSR34 now establishes and adopts a program of NESHAPs promulgated by U.S. EPA pursuant to 40 C.F.R. Part 61.

#### Permit Section 4.0 – Demolition & Removal of Boiler House #1

Boiler House #1 is no longer in operation (shut down October 8, 2008) and is currently being demolished. The demolition of Boiler House #1 also means that boilers 7 and 8 (Em. Unit. IDs 9300-001 and 9300-8) are no longer operating. Removal of boilers 7 and 8 does not affect the boilers' PTE since permit condition 5.1.11. groups boilers 7, 8, 9, 10, and 11, and aggregates and limits their HAP emissions by aggregating the gas consumed by the boilers.

Since permit section 4.0 is limited to boilers 7 and 8, all conditions in this section will be stricken. However, permit section 4.0 will not be entirely removed from the permit. Rather, the permit will have one condition number in each subsection reserved. This will provide for future use of the section during this permit term, and will eliminate the need to change the many cross-references throughout permit sections 5 through 13.

#### Permit Section 5.0 – Remove Reference to Boilers #7 and #8 and Correction of Typographical Error

Condition 5.1.11. will reflect two changes. First, reference to boilers 7 and 8 will be stricken since they are being demolished. Second, the natural gas consumption limit will be corrected by replacing the decimal point with a comma. The permittee stated in the application that the proposed value reflects the actual value submitted during the synthetic minor discussion with DAQ. The error was found during pre-draft review of the renewal permit; however, it was only changed in condition 4.1.8.

#### Permit Section 7.0 – Relocate Permit Conditions from Section 13.0

Since the isocyanate and HCL tanks and loading are under the control of the Site Logistics (SL) group within the facility, the permit conditions that are specific to the Loading Racks 15NN and 15OO will be relocated from Material Handling (section 13.0) to HCL (section 7.0). The purpose of this change is to better align the permit conditions with current management structure. To make this change, the permittee proposes to relocate conditions 13.1.6. through 13.1.9. to 7.1.4. through 7.1.7.

The permittee requested changing language in condition 7.2.1. The change will align this condition with the requirement of condition 7.4.1.a., but will not affect any calculations or emissions.

The permittee requested adding a new condition 7.2.4. requiring monitoring of the amount of isocyanates transferred on a daily basis. This is already covered in condition 13.2.3. However, in keeping with the purpose to better align the permit conditions with current management structure, the permittee proposes to divide and eliminate condition 13.2.3. The isocyanate monitoring of 13.2.3. will become new condition 7.2.4., and the xylene and phthalic anhydride monitoring of 13.2.3. will become new condition 12.2.4. (to be discussed below). Since no monitoring is being eliminated or relaxed, the change is acceptable.

Similarly, the permittee requests dividing condition 13.4.10. and writing new condition 7.4.2. for the isocyanates recordkeeping, and a new condition 12.4.8. for the xylene and phthalic anhydride recordkeeping.

#### Permit Section 12.0 – Relocate Xylene and Phthalic Anhydride Conditions from Section 13.0

As stated above, the xylene and phthalic anhydride monitoring of 13.2.3. will become new condition 12.2.4. This will better align the permit with current management structure since the isocyanate tanks are the responsibility of Site Logistics. The same rationale applies to new condition 12.4.8.

Permit Section 13.0 – Delete Conditions that are relocated to Sections 7.0 and 12.0

The following conditions will be deleted since the requirements are being relocated within the permit:

Current Condition to be Deleted	Proposed (new) Condition
13.1.6.	7.1.4.
13.1.7.	7.1.5.
13.1.8.	7.1.6.
13.1.9.	7.1.7.
13.2.3.	7.2.4. and 12.2.4.
13.4.10.	7.4.2. and 12.4.8.

Appendix A – Rule 2 Monitoring Plan

The plan has been revised to remove references to the Boiler House #1, and the individual boilers #7 and #8 that were housed therein. Boilers #7 and #8 were Em. Unit. IDs 9300-001 and 9300-8, respectively. Both boilers vented through Em. Pt. ID 002. This emission point is not removed from the permit since another emission unit vents through this point (*i.e.*, #1 Post Reactor, Em. Unit ID# 032-002). Finally, the DHI (mmBTU/hr) and emission rates have been revised to account for the removal of boilers #7 and #8.

Appendix B – Rule 10 Monitoring Plan

This plan has been revised in the same manner and for the same reasons as Appendix A.

**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: Not applicable for minor modification  
Ending Date: Not applicable for minor modification

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

Denton B. McDerment, P.E.  
Title V Permit Writer  
West Virginia Department of Environmental Protection  
Division of Air Quality  
601 57th Street, S.E.  
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, P.E.  
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)**

- No comments were received from U.S. EPA.
- During the proposed period, the writer noticed a grammatical error in the last sentence of the third paragraph in the discussion herein concerning permit section 7.0. The word “be” has been corrected to “being”.