

Public Meeting

concerning

Allegheny Wood Products, Inc.

Baker Log Yard

May 4, 2023

**West Virginia Division of Air Quality
Virtual Public Meeting**



Presentation Outline

- **Introduction**
- **Permitting Process**
- **Project Overview**
- **DAQ Documents**
- **What Happens Next?**
- **Summary and Contact Information**



Permitting Programs

- **“Pre-construction” Permits**
 - **Minor Source Program (45CSR13)**
 - **Major Source in Attainment Areas (45CSR14)**
 - **“Prevention of Significant Deterioration” (PSD)**
 - **Major Source in Non-Attainment Areas (45CSR19)**

- **Post-Construction Operating Permit Program**
 - **Title V Process**
 - **Major Source (Permit) vs. Minor Source (No Permit)**
 - **45CSR30**



Minor Source Permitting Program

- **Applicable to new “minor sources” of air pollution**
 - Administered under West Virginia Legislative Rule 45CSR13
- **45CSR13 Permitting Process: What it does do:**
 - Determine/enforce compliance with state/federal air quality rules and regulations
 - Determine/enforce compliance with facility’s air emissions
 - Provide framework of public notification/participation
- **45CSR13 Permitting Process: What it does not do:**
 - Take into consideration any other important but non-air quality benefits/impacts such as jobs, property values, traffic, zoning, national energy issues, economics of project, infrastructure, archeology, or public support (or lack thereof) etc.
 - Require or prohibit the location of facilities in any particular area.
 - Address non-air quality environmental impacts (eg water).



Summary of DAQ Review

- **AWP Application (R13-3595) Submitted: January 5, 2023**
- **Application Submitted as a minor source (45CSR13)**
- **AWP Legal Advertisement: January 18, 2023**
- **DAQ Public Advertisement: April 5, 2023**
 - **Preliminary Review Complete: Draft Permit/Fact Sheet Available**
 - **Preliminary Determination**
 - **30-Day Comment Period**
 - **Comments/Public Meeting Request Received**
- **Comment period was extended until 5:00 on May 12, 2023**



AWP Project Overview

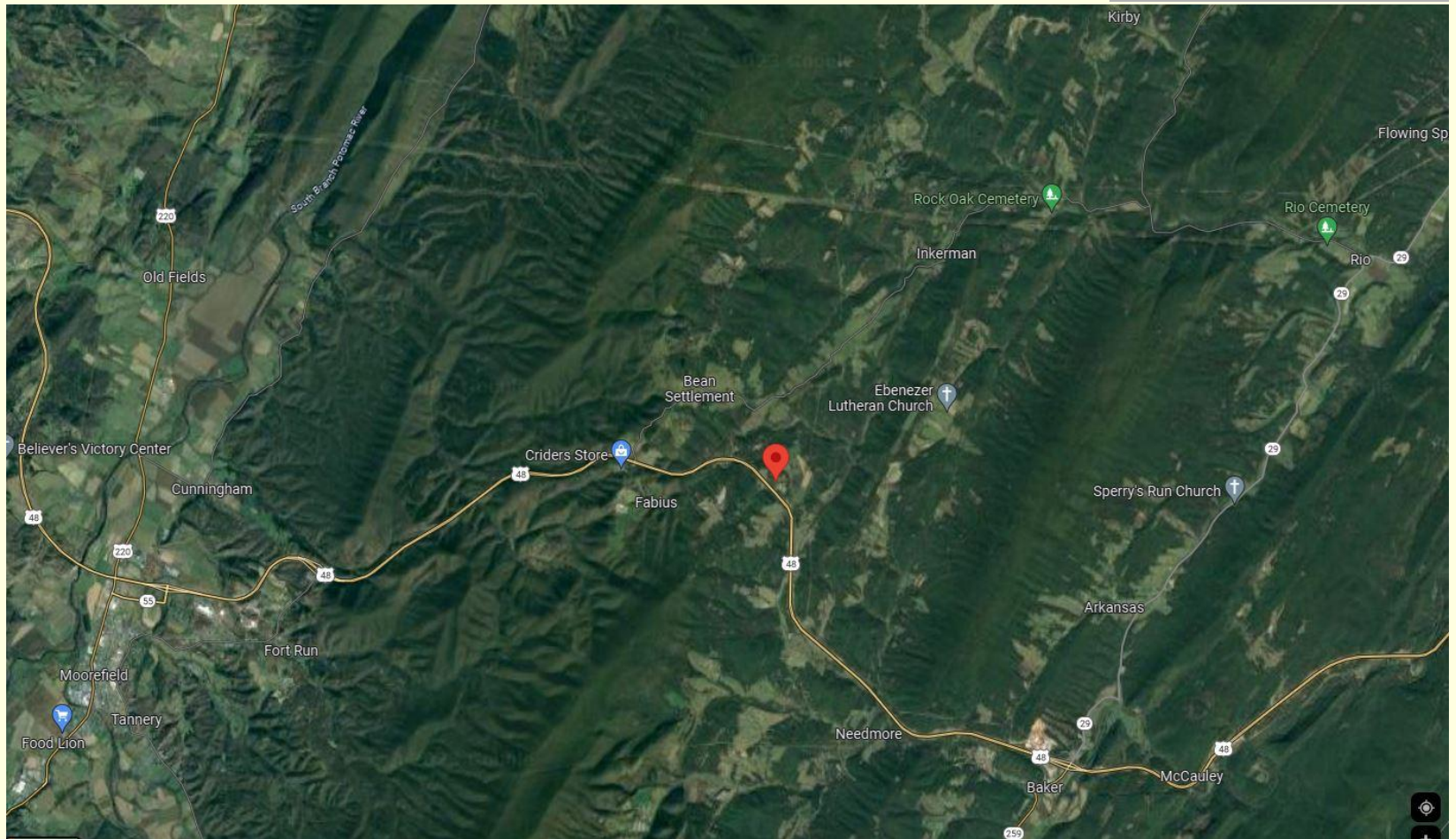
- **Hardy County Facility: Log Fumigation Facility**
- **Logs are fumigated inside a building using Methyl Bromide**
 - **Logs can be fumigated either under tarps or inside shipping containers**
 - **US Dept of Agriculture regulates how the fumigation must be performed.**
 - **Type and amount of fumigant required, fumigation time, etc.**
- **Detailed information in the permit application and engineering evaluation/fact sheet**



AWP Plant Location

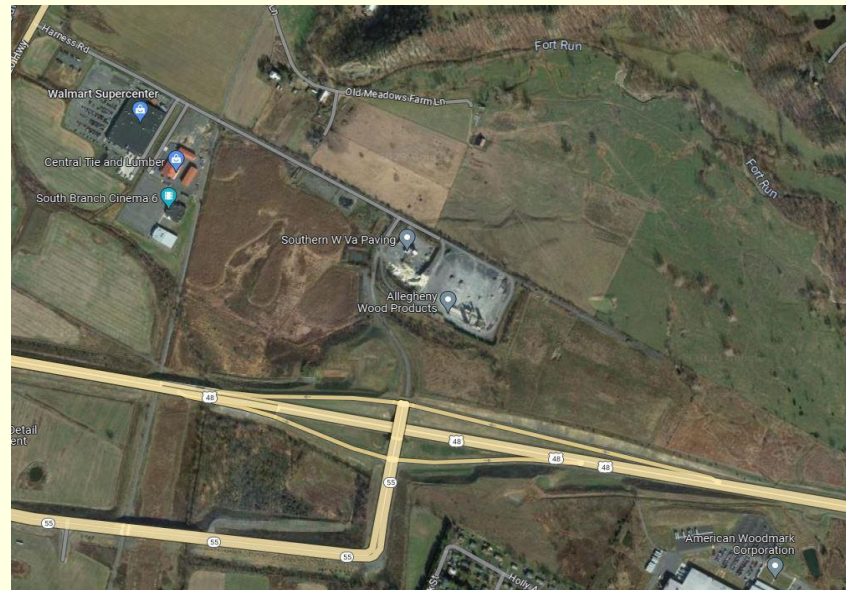


AWP Plant Location



Current and Past Fumigation Sites

- Currently AWP is permitted to operate one facility.
 - Located off of Harness Road in Moorefield.
 - Permit R13-3473 issued 09/19/2019
 - Operated under temporary permit R13-3388T briefly before that.



Current and Past Fumigation Sites

- AWP previously operated a facility at the Moorefield Industrial Park.
 - Permit R13-3393 issued October 26, 2018
 - Company ceased fumigating sometime before November 2022 and requested permit be rescinded in February 2023.



Applicable Air Quality Rules

- **WV Legislative Rules**

- **45CSR13: Minor Source Permitting Rule**

- Applies because AWP will emit more than 2 pounds per hour and 5 tons per year of a HAP (Methyl Bromide).

- **Federal Air Quality Regulations**

- None



Methyl Bromide (CH₃Br)

- Used as a pesticide since 1932
- Used to treat commodities (grapes, asparagus, etc) that are imported to the US.
- **Used as a fumigant for domestically sourced logs prior to export.**
- High vapor pressure (1.9 atm at 68°F), therefore it dissipates quickly.



Methyl Bromide (CH₃Br)

- Banned for MOST uses under the “Montreal Protocol”
 - International agreement aimed at protecting the ozone layer. Signed in 1987. Multiple amendments since.
 - Banned many substances, most notably CFC’s (chemicals used in air conditioners, refrigerators and as a propellant in hairspray).



Methyl Bromide (CH₃Br)

- Due to Montreal Protocol, in 1992 USEPA banned use of Methyl Bromide but with 3 exemptions:
 - Emergency use
 - Short term “critical” uses
 - Quarantine Pre Shipment (QPS)



Methyl Bromide (CH₃Br)

- Neighboring states
 - Maryland
 - COMAR 26.11.15.05 –Requires Best Available Control Technology (BACT)
 - COMAR 26.11.15.06 – Sets ambient limits
 - North Carolina
 - 15A NCAC 02D.1104 – Sets ambient limits
 - Computer modeling required to show compliance with said ambient limits
 - Virginia
 - 9 VAC Chapter 60, Article 5 – requires permitting for facilities emitting more than 1.254 lbs/hr AND 2.755 tons per year of Methyl Bromide.
 - Permits typically require 300' distance from fumigation activity to property boundary
 - Permits typically require 1ppm concentration (8 hour average) at fenceline.



WVDAQ Documents

- **Engineering Evaluation/Fact Sheet**
 - Rationale document for Preliminary Determination.
- **Draft Permit**
 - Includes operating restrictions, emission limitations and monitoring, recordkeeping and reporting requirements.
 - Enforces the potential-to-emit (PTE) upon which we based our Preliminary Determination to approve.



Engineering Evaluation/Fact Sheet

- **Administrative information.**
- **Description of proposed facility/emission units.**
- **Discussion of emission calculations.**
- **Quantifies proposed emissions per pollutant.**
- **Applicability and compliance with federal regulations and state air quality rules.**



Draft Permit

- **Facility-wide requirements**
- **Specific unit requirements:**
 - **Limitations and standards**
 - **Production Capacities**
 - Limits total Methyl Bromide used to 9.55 tons on a rolling 12 month basis.
 - **Operating Requirements**
 - Limits total storage at any given time to 900 pounds
 - **Monitoring requirements**
 - Requires ambient monitors near the property line.
 - Operations must cease if monitors exceed 1ppm.
 - **Recordkeeping/Reporting requirements**
 - Readings from the ambient monitors are recorded and must be made available to DAQ inspectors.



What Happens Next?

- **Comment period scheduled to conclude at 5:00 pm on Friday, May 12, 2023.**
- **Prior to a final determination, the DAQ will evaluate and respond to timely comments that are relevant to air quality issues.**
- **DAQ will make a Final Determination pursuant to the requirements §45-13-5.7.**
- **Final Determination will be available in same locations as Engineering Evaluation/Fact Sheet and Draft Permit.**
- **Important to note: NO FINAL DECISION HAS BEEN MADE**
 - A DRAFT permit has been developed and posted for public review. The company is NOT permitted to construct and operate until a final decision has been made, and a final permit issued.



Summary

- **AWP is proposing to build a log fumigation facility in Hardy County.**
- **DAQ has made a preliminary determination that the proposed construction is properly defined as a minor source and will meet all applicable state rules and federal air quality regulations.**
- **Engineering Evaluation/Fact Sheet and Draft Permit have been available for review since publication of the legal advertisement (April 5, 2023).**
- **DAQ will continue to accept public comments until 5:00 pm on Friday, May 12, 2023.**
- **DAQ will evaluate and respond to all timely public air quality-related comments.**
- **DAQ will make a final determination on this permitting action and make this determination and any related documents available at that time.**



Contact Information

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<https://dep.wv.gov/daq/permitting/Pages/NSR-Permit-Applications.aspx>

