

*West Virginia Department of Environmental Protection*

*Harold D. Ward*

*Cabinet Secretary*

# Modification Permit



**R13- 3414A**

*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§22-5-1 et seq.) and 45 C.S.R. 13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, Permission to Commence Construction, and Procedures for Evaluation. The permittee identified at the above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

*Issued to:*

**TeMa North America, LLC**

**Kearneysville, WV**

**037-00110**

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*Laura M. Crowder*

*Director, Division of Air Quality*

*Issued: DRAFT*

This permit will supercede and replace Permit R13-3414.

Facility Location: Kearneysville, WV, Jefferson County, West Virginia

Mailing Address: 395 Steeley Way  
Kearneysville, WV 25430

Facility Description: Plastics Extrusion Facility

NAICS Codes: 326199

UTM Coordinates: 252.63 km Easting • 4,360.28 km Northing • Zone 17

Permit Type: Modification

Description of Change:

TeMa North America LLC is proposing to install an XPS Board Extrusion and Lamination System at their existing facility. This process will utilize polystyrene as the feed plastic instead of the existing operations which use polypropylene and polystyrene, including high density polyethylene. These lines will be in addition to the existing three extrusion lines identified as Line 2000, Line 3000, and Line 4000.

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [ §§22B-1-1 et seq. ], Chapter 22B of the Code of West Virginia. West Virginia Code §§22-5-14.*

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*The source is not subject to 45CSR30.*

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## CERTIFICATION OF DATA ACCURACY

**1.0. Emission Units**

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
1S	TP	Super Sack Unload Station 1	2018	400 kg/hr	N
2S	TP	Super Sack Unload Station 2	2018	400 kg/hr	N
3S	TP	Manual Bag Unload Station 1	2018	400 kg/hr	N
4S	TP	Screw Conveyor 1	2018	400 kg/hr	FE
5S	TP	Screw Conveyor 2	2018	400 kg/hr	FE
6S	TP	Screw Conveyor 3	2018	400 kg/hr	FE
7S	TP	Screw Conveyor 4	2018	400 kg/hr	FE
8S	1E	Blender	2018	400 kg/hr	DC
9S	TP	Screw Conveyor 5	2018	400 kg/hr	FE
10S	1E	Pneumatic Transfer System	2018	400 kg/hr	DC
11S	1E	Extruder Feed Hopper 1	2018	400 kg/hr	DC
12S	TP	Master Batch System	2018	400 kg/hr	N
13S	TP	Extruder Feed Hopper 2	2018	400 kg/hr	N
14S	2E	Extruder	2018	400 kg/hr	N
15S	1E	Shredder	2018	400 kg/hr	DC
16S	1E	Pneumatic System	2018	400 kg/hr	DC
17S	1E	Bulk Bag Loading Station	2018	400 kg/hr	DC
18S	1E	External Shredder 1	2018	1000 kg/hr	DC
19S	1E	External Shredder 2	2018	1000 kg/hr	DC
20S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
21S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
22S	1E	Bulk Bag Loading Station	2018	1000 kg/hr	DC
23S	3E	Silo 1	2018	1000 kg/hr	VF
24S	4E	Silo 2	2018	1000 kg/hr	VF
25S	5E	Silo 3	2018	1000 kg/hr	VF
26S	6E	Silo 4	2018	1000 kg/hr	VF
27S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
28S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
29S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
30S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
31S	TP	Super Sack Unload Station 1	2018	600 kg/hr	N
32S	1E	Pneumatic Transfer System	2018	600 kg/hr	DC
33S	TP	Super Sack Unload Station 2	2018	600 kg/hr	N

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
34S	1E	Pneumatic Transfer System	2018	600 kg/hr	DC
35S	TP	Manual Bag Unload System	2018	600 kg/hr	N
36S	1E	Pneumatic Transfer System	2018	600 kg/hr	DC
37S	1E	Blender	2018	600 kg/hr	DC
38S	TP	Screw Conveyor No. 1	2018	600 kg/hr	N
39S	1E	Pneumatic Transfer System	2018	600 kg/hr	DC
40S	1E	Extuder Feed Hopper 1	2018	600 kg/hr	DC
41S	TP	Master Batch System	2018	600 kg/hr	N
42S	TP	Extruder Feed Hopper 2	2018	600 kg/hr	N
43S	2E	Extuder	2018	600 kg/hr	N
44S	1E	Shredder	2018	600 kg/hr	DC
45S	1E	Bulk Bag Loading	2018	600 kg/hr	DC
46S	1E	Pneumatic Transfer System	2018	600 kg/hr	DC
47S	TP	Super Sack Unload Station1	2018	1000 kg/hr	N
48S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
49S	1E	Extruder Feed Hopper 1A, 1B	2018	1000 kg/hr	DC
50S	TP	Super Sack Unload Station 2	2018	1000 kg/hr	N
51S	TP	Super Sack Unload Station 3	2018	1000 kg/hr	N
52S	TP	Manual Bag Unloading	2018	1000 kg/hr	N
53S	TP	Screw Conveyor 1	2018	1000 kg/hr	N
54S	TP	Screw Conveyor 2	2018	1000 kg/hr	N
55S	TP	Screw Conveyor 3	2018	1000 kg/hr	N
56S	TP	Screw Conveyor 4	2018	1000 kg/hr	N
57S	1E	Blender	2018	1000 kg/hr	DC
58S	TP	Screw Conveyor 5	2018	1000 kg/hr	N
59S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
60S	1E	Extruder Feed Hopper 2A, 2B	2018	1000 kg/hr	DC
61S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
62S	1E	Extruder Feed Hopper 3A, 3B	2018	1000 kg/hr	DC
63S	TP	Master Batch System	2018	1000 kg/hr	N
64S	TP	Extruder Feed Hopper 4A, 4B	2018	1000 kg/hr	N
65S	2E	Extruder	2018	1000 kg/hr	N
66S	1E	Shredder	2018	1000 kg/hr	DC
67S	1E	Bulk Bag Loading	2018	1000 kg/hr	DC

<b>Emission Unit ID</b>	<b>Emission Point ID</b>	<b>Emission Unit Description</b>	<b>Year Installed</b>	<b>Design Capacity</b>	<b>Control Device</b>
68S	1E	Pneumatic Transfer System	2018	1000 kg/hr	DC
69S	9E	10 Building Heaters	2018	2.22 mmbtu (total)	N
70S	10E	Propane Tank	2018	1,000 gal	N
71S	11E	Propane Tank	2018	1,000 gal	N
72S	12E	Propane Tank	2018	1,000 gal	N
73S	13E	Propane Tank	2018	1,000 gal	N
NA	NA	Additive Bins 1-5 (de minimis)	2024	NA	N
X1S	X1E	Pneumatic System	2024	550 kg/hr	N
X2S	X3CE	Virgin Silo/Bags/Octabins	2024	550kg/hr	X3DC
NA	NA	Octabins/Big Bags (de minimis)	2024	550kg/hr	N
X3S	X1E	Doser/Extruder Feed Hopper	2024	550kg/hr	N
X4S	2E	Extruder	2024	550kg/hr	N
X5S	X1CE	Trimmer and Surface Planner	2024	550kg/hr	X1DC
X6S	X6E	Dimensional Cutting	2024	550kg/hr	N
TPX1	TPX1	Transfer Point (TPX1)	2024	550kg/hr	N
TPX3	TPX3	Transfer Point (TPX3)	2024	550kg/hr	FE
TPX4	X3CE	Pneumatic Truck Delivery Transfer	2024	550kg/hr	X3DC
X7S	2E	Laminator	2024	550kg/hr	None
X8S	1E	Trimmer	2024	550kg/hr	1C
X9S	X12E	Pneumatic System 3 (TPX5)	2024	550 kg/hr	X2DC
X10S	X10E	Pneumatic System2 (TPX6)	2024	550 kg/hr	VF
X11S	X11E	XPS Grinder	2024	200 kg/hr	N
X12S	X2CE	Outside Silo	2024	200 kg/hr	X2DC
X13S	X1CE	Pneumatic System 4 (TPX7)	2024	200 kg/hr	X1DC
X14S	X1CE	Doser/ Extruder Feed Hopper	2024	200 kg/hr	X1DC
X15S	2E	Extruder	2024	200 kg/hr	N
X16S	X16E	Pellet Cutter	2024	200 kg/hr	N
X17S	X1CE	Pneumatic System	2024	200 kg/hr	X1DC
X18S	X1CE	Recycled Silo	2024	200 kg/hr	X1DC
TPX8	TPX8	Transfer Point (TPX8)	2024		

**2.0. General Conditions**

**2.1. Definitions**

2.1.1. All references to the “West Virginia Air Pollution Control Act” or the “Air Pollution Control Act” mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The “Clean Air Act” means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. “Secretary” means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary’s designated representative for the purposes of this permit.

**2.2. Acronyms**

<b>CAAA</b>	Clean Air Act Amendments	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>CBI</b>	Confidential Business Information	<b>NSPS</b>	New Source Performance Standards
<b>CEM</b>	Continuous Emission Monitor	<b>PM</b>	Particulate Matter
<b>CES</b>	Certified Emission Statement	<b>PM<sub>2.5</sub></b>	Particulate Matter less than 2.5 µm in diameter
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>CO</b>	Carbon Monoxide	<b>Ppb</b>	Pounds per Batch
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>Pph</b>	Pounds per Hour
<b>DAQ</b>	Division of Air Quality	<b>Ppm</b>	Parts per Million
<b>DEP</b>	Department of Environmental Protection	<b>Ppm<sub>v</sub> or ppm<sub>v</sub></b>	Parts per Million by Volume
<b>dscm</b>	Dry Standard Cubic Meter	<b>PSD</b>	Prevention of Significant Deterioration
<b>FOIA</b>	Freedom of Information Act	<b>Psi</b>	Pounds per Square Inch
<b>HAP</b>	Hazardous Air Pollutant	<b>SIC</b>	Standard Industrial Classification
<b>HON</b>	Hazardous Organic NESHAP	<b>SIP</b>	State Implementation Plan
<b>HP</b>	Horsepower	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>lbs/hr</b>	Pounds per Hour	<b>TAP</b>	Toxic Air Pollutant
<b>LDAR</b>	Leak Detection and Repair	<b>TPY</b>	Tons per Year
<b>M</b>	Thousand	<b>TRS</b>	Total Reduced Sulfur
<b>MACT</b>	Maximum Achievable Control Technology	<b>TSP</b>	Total Suspended Particulate
<b>MDHI</b>	Maximum Design Heat Input	<b>USEPA</b>	United States Environmental Protection Agency
<b>MM</b>	Million	<b>UTM</b>	Universal Transverse Mercator
<b>MMBtu/hr or mmbtu/hr</b>	Million British Thermal Units per Hour	<b>VOC</b>	Visual Emissions Evaluation
<b>MMCF/hr or mmcf/hr</b>	Million Cubic Feet per Hour	<b>VOL</b>	Volatile Organic Compounds
<b>NA</b>	Not Applicable		Volatile Organic Liquids

<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants

### **2.3. Authority**

This permit is issued in accordance with West Virginia Air Pollution Control Act W.Va. Code §§ 22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

### **2.4. Term and Renewal**

2.4.1. This permit supersedes and replaces previously issued Permit R13-3414. This Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any other applicable legislative rule;

### **2.5. Duty to Comply**

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3414A, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;<sup>3</sup>

#### **[45CSR§§13-5.10 and 10.3.]**

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

### **2.6. Duty to Provide Information**

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary



copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

## **2.7. Duty to Supplement and Correct Information**

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

## **2.8. Administrative Update**

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-4.]

## **2.9. Permit Modification**

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.

[45CSR§13-5.4.]

## **2.10 Major Permit Modification**

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.

[45CSR§13-5.1]

## **2.11. Inspection and Entry**

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

## **2.12. Emergency**

[Reserved]

**2.13. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

**2.14. Suspension of Activities**

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

**2.15. Property Rights**

This permit does not convey any property rights of any sort or any exclusive privilege.

**2.16. Severability**

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

**2.17. Transferability**

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13.  
[45CSR§13-10.1.]

**2.18. Notification Requirements**

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

**2.19. Credible Evidence**

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

### 3.0. Facility-Wide Requirements

#### 3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.

[45CSR§6-3.1.]

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.

[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.

[40CFR§61.145(b) and 45CSR§34]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.

[45CSR§4-3.1] *[State Enforceable Only]*

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.

[45CSR§13-10.5.]

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.

[45CSR§11-5.2.]

#### 3.2. Monitoring Requirements

*[Reserved]*

#### 3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally

accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a sourcespecific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.

b. The Secretary may on a sourcespecific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

### **3.4. Recordkeeping Requirements**

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.

[45CSR§4. *State Enforceable Only.*]

**3.5. Reporting Requirements**

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by email as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

**DAQ:**  
Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street  
Charleston, WV 25304-2345

**US EPA:**  
Section Chief, USEPA, Region III  
Enforcement and Compliance Assurance Division  
Air Section (3ED21)  
Four Penn Center  
1600 John F Kennedy Blvd  
Philadelphia, PA 19103-2852

**DAQ Compliance and Enforcement<sup>1</sup>:**  
[DEPAirQualityReports@wv.gov](mailto:DEPAirQualityReports@wv.gov)

<sup>1</sup>For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status Reports, Initial Notifications, etc.

**3.5.4. Operating Fee**

3.5.4.1. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

**4.0. Source-Specific Requirements**

**4.1. Limitations and Standards**

4.1.1. The TeMa North America, LLC facility shall consist of only the pollutant-emitting equipment and processes identified under Section 1.0 of this permit and any other processes/units defined as De Minimis per 45CSR13. In accordance with the information filed in Permit Application R13-3414A, the equipment shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants and the equipment/processes shall use the specified control devices.

4.1.2. The production rate of each extruder shall not exceed the following:

Line	Hourly Rate (kgs/hour)	Hourly Rate (lbs/hour)
2000	400	882
3000	600	1,323
4000	1,000	2,205
XPS	550	1,213

4.1.3 Total yearly production shall not exceed 22,338 metric tons (24,623 short tons) of extruded product. The resins permitted on these lines are Polystyrene, Polypropylene (PP), and Polyethylene (PE) including High Density Polyethylene (HDPE). Compliance with this condition shall be based on a rolling twelve-month total.

4.1.4. The use of any resin type not listed above shall not be used without the prior approval of the Director.

4.1.5. The use of any laminating glue besides methylene diphenyl diisocyanate (MDI) shall not be used without the prior approval of the Director.

4.1.6. Combined emissions from the laminator and extruders (XPS, 2000, 3000 & 4000) to the atmosphere from process vents through emission point 2E shall not exceed the following hourly and annual emission rate limitations:

Pollutant Category	Pollutant	Particulate (PM) Emissions Limits	
		Hourly (lb/hr)	Yearly (tons)
Criteria Pollutants	PM	0.50	2.25
	VOC	1.79	7.87
	CO	0.03	0.12
Hazardous Air Pollutants	Hexane	0.85	3.72
	Acetaldehyde	0.06	0.30
	Toluene	0.06	0.24
	Formaldehyde	0.03	0.06
	MDI	0.02	0.10

4.1.7. Emissions to the atmosphere from each baghouse/vent filter shall not exceed the following hourly and annual emission limitations:

Emission Point I.D.	Particulate (PM) Emissions Limits	
	Hourly (lb/hr)	Yearly (tpy)
1E	0.35	1.57
3E	0.02	0.08
4E	0.02	0.08
5E	0.02	0.08
6E	0.02	0.08
X1CE	0.06	0.27
X2CE	0.03	0.12
X3CE	0.06	0.22
X1E	0.20	0.86
X6E	0.10	0.43
X11E	0.18	0.81
X16E	0.18	0.81
TPX1	0.49	2.14
TPX3	0.10	0.43
TPX8	0.04	0.16

4.1.8. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in subsections 3.2, 3.3, 3.4, 3.5, 3.6, and 3.7.

**[\$45-7-3.1]**

4.1.9 No person shall cause, suffer, allow or permit visible emissions from any storage structure(s) associated with any manufacturing process(es) that pursuant to subsection 5.1 is required to have a full enclosure and be equipped with a particulate matter control device.

**[\$45-7-3.7]**

4.1.10. No person shall cause, suffer, allow or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A found at the end of this rule.

**[\$45-7-4.1]**

4.1.11. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be

limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such a system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.

**[\$45-7-5.1]**

4.1.12. The owner or operator of a plant shall maintain particulate matter control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary particulate matter suppressants shall be applied in relation to stockpiling and general material handling to minimize particulate matter generation and atmospheric entrainment.

**[\$45-7-5.2]**

4.1.13. At such reasonable times as the Director may designate, the operator of any manufacturing process source operation may be required to conduct or have conducted stack tests to determine the particulate matter loading in exhaust gases. Such tests shall be conducted in such manner as the Director may specify and be filed on forms and in a manner acceptable to the Director. The Director, or his duly authorized representative, may at his option witness or conduct such stack tests. Should the Director exercise his option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment such as scaffolding, railings and ladders to comply with generally accepted good safety practices.

**[\$45-7-8.1]**

4.1.14. The Director, or his duly authorized representative, may conduct such other tests as he or she may deem necessary to evaluate air pollution emissions.

**[\$45-7-8.2]**

4.1.15. Due to unavoidable malfunction of equipment, emissions exceeding those set forth in this rule may be permitted by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

**[\$45-7-9.1]**

4.1.16. At the time a stationary source is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests the Secretary may specify shall be conducted to determine compliance.

**[\$45-13-6.1]**

4.1.17. The maximum heat rate of the combined building heaters shall not exceed 2.22 million btu/hr.

4.1.18. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

**[45CSR§13-5.10.]**

## **4.2. Monitoring Requirements**

4.2.1. The permittee shall monitor and maintain a certified record of the total amount of resins processed by the extrusion lines on a monthly basis. These records shall be properly maintained on site for a period not less than five (5) years and be made available to the Director, or the Director's designated representative, upon request.



4.2.2 The permittee shall operate and maintain all baghouses/vent filters in accordance with the manufacturer's specification to ensure they remain in good operating condition.

#### **4.3. Testing Requirements**

*[Reserved]*

#### **4.4. Recordkeeping Requirements**

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

- a. The date, place as defined in this permit, and time of sampling or measurements;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of the analyses; and
- f. The operating conditions existing at the time of sampling or measurement.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

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## CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached \_\_\_\_\_, representing the period beginning \_\_\_\_\_ and ending \_\_\_\_\_, and any supporting documents appended hereto, is true, accurate, and complete.

Signature<sup>1</sup> \_\_\_\_\_  
(please use blue ink) Responsible Official or Authorized Representative Date

Name & Title \_\_\_\_\_  
(please print or type) Name Title

Telephone No. \_\_\_\_\_ Fax No. \_\_\_\_\_

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<sup>1</sup> This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.