



Tipane, Frederick <frederick.tipane@wv.gov>

Re: EWVI Rail Car Unloading Emission Point

1 message

Andrews, Edward S <edward.s.andrews@wv.gov>

Mon, Jun 23, 2025 at 8:16 AM

To: "Kessler, Joseph R" <joseph.r.kessler@wv.gov>

Cc: "Tipane, Frederick" <frederick.tipane@wv.gov>, "McCumbers, Carrie" <carrie.mccumbers@wv.gov>

I will let them know and suggest keeping them.

Ed

On Mon, Jun 23, 2025 at 8:15 AM Kessler, Joseph R <joseph.r.kessler@wv.gov> wrote:

And there is generally no expiration date for something in a minor source permit as long as any emissions are still counted toward the facility PTE for any applicability purposes.

On Mon, Jun 23, 2025 at 8:13 AM Tipane, Frederick <frederick.tipane@wv.gov> wrote:

Ed,

I was going to touch base with you on this. Since they already have this equipment in the NSR permit even though they haven't installed it yet, I think they should just leave it in the renewal. If they need to revise the NSR permit then they could submit a mod for the Title V.

Fred

On Mon, Jun 23, 2025 at 8:03 AM Andrews, Edward S <edward.s.andrews@wv.gov> wrote:

Fred,

I really don't have a preference if the emission point is removed or remains.

Given that the real source is the storage tank(s) that the oil is being transferred to I don't see a problem retaining it for now.

Plus, I am not sure if a modification app will be required, they really need to prove that the change does not represent a major mod under PSD and none of the existing tanks that the oil is being off load to trigger modification under Subpart Kc.

Ed

----- Forwarded message -----

From: **Evan Gay** <evan.gay@ergon.com>

Date: Sat, Jun 21, 2025 at 3:11 PM

Subject: EWVI Rail Car Unloading Emission Point

To: Tipane, Frederick <frederick.tipane@wv.gov>, Edward S Andrews <edward.s.andrews@wv.gov>

Hi Fred and Ed—

I had a quick question for you both. Back in 2018/2019 we permitted Rail Car Unloading (highlighted in the screenshot below), but it was never constructed. We were planning to remove the emission points as part of the renewal application, however, after speaking with our engineering group, the project now has plans to move forward again in the near future. A new R13 modification application will be submitted if/when the project is approved, as we understand we are outside the allowable construction timeline from the original project. Additionally, it is my understanding that throughputs may be slightly different than what was originally permitted, so we would need new approval anyway.

My question is, do you want us to move forward with removing the emission source in the renewal? I just didn't want to request to remove the emission pt in the renewal and then turn around and submit

a modification application to incorporate essentially the same emission point in a few months if that would create more work on your end. Just let me know what you prefer!

Thanks!
Evan

Evan Gay

Sr Environmental Engineer

Corporate Environmental – Projects Team

Ergon, Inc.

M 601-337-1591

P 601-933-3097



1.0 Emission Units and Active R13, R14, and R19 Permits**1.1. Emission Units**

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed/Modified	Design Capacity	Control Device
CDU	CDU	Crude Distillation Unit	1972/2012/2015	9,617,750 bbls/yr	00A-01
001-01	H-101R	CDU Atmospheric Heater; refinery fuel gas/natural gas blend	2012	54.5 MMBtu/hr	N/A
001-02	H-102R	CDU Vacuum Heater; refinery fuel gas/natural gas blend	2012	39.2 MMBtu/hr	N/A
002-01	H-201	PDR Heater; refinery fuel gas/natural gas blend	1972	6.6 MMBtu/hr	N/A
003-01	MEK-TOL	Solvent Dewaxing Unit	1972	N/A	N/A
004-01	H-500S	H500 Series Heaters Unifiner/Platformer Unit; refinery fuel gas/natural gas blend	1972/2013/2015	59.6 MMBtu/hr	N/A
004-02	H-501R	Unifiner Charge Heater	2013	11.5 MMBtu/hr	N/A
005-01	H-600S	H600 Series Heaters, ISOMAX Unit; refinery fuel gas/natural gas blend	1972	41.6 MMBtu/hr	N/A
005-02	H-441	Hydrogen Plant Heater; natural gas	1972	12.3 MMBtu/hr	N/A
006-01	H-701	VFU Heater; refinery fuel gas/natural gas blend	1983	12.1 MMBtu/hr	N/A
007-01	Boiler A	Boiler A; refinery fuel gas/natural gas blend	1972	159.50 MMBtu/hr	N/A
007-02	Boiler B	Boiler B; refinery fuel gas/natural gas blend	1972	159.50 MMBtu/hr	N/A
007-03	Boiler C	Boiler C; refinery fuel gas/natural gas blend	2000	95 MMBtu/hr	N/A
Portable Boiler	Portable Boiler	Portable Boiler; Natural Gas	2020	99.9 MMBtu/hr Max	N/A
009-01	T Load	Truck Loading	1972/2012/2013	397.8 MMgal/yr	00A-02*
Rail-UL	Rail-UL	Rail Car Unloading	2019	800 gpm	N/A
009-02	MLD	Marine Barge Loading	1972/2012	460.7 MMgal/yr	00A-04**
00A-01	F1	Main Flare	1972	N/A	N/A
00A-03	F2	Sour Gas Flare	1972	N/A	N/A
00A-02	OXIDIZER	Thermal Oxidizer - 98.7% Min Efficiency	1994/2012/2013	17,346 MMBtu/yr	N/A
00A-04	MLDOX	Barge Loading Thermal Oxidizer - 98% Min Eff	2012	59.0 MMBtu/hr	N/A
00B-01	WWT	Wastewater Treatment Plant	1972/1997	600 gpm	00A-03
00B-02	EQLEAKS	Equipment Leak Fugitives	N/A	N/A	N/A

West Virginia Department of Environmental Protection • Division of Air Quality
 Approved: February 9, 2021 • Modified: ~~August 31, 2024~~ November 23, 2021

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Tipane, Frederick <frederick.tipane@wv.gov>

Re: [EXTERNAL]Re: Ergon West Virginia Renewal

1 message

Tipane, Frederick <frederick.tipane@wv.gov>
To: Evan Gay <Evan.Gay@ergon.com>

Wed, Jun 11, 2025 at 1:09 PM

You're welcome. Hopefully the timing will work out.

Fred

On Wed, Jun 11, 2025 at 1:05 PM Evan Gay <Evan.Gay@ergon.com> wrote:

Thanks so much, Frederick. Your explanation is very helpful. We are preparing the renewal application now, but it is not due until the first week of August (the 9th I believe)... so we may have a little time after the pre-draft permit is issued to consolidate our comments based on the changes you have incorporated. If the timelines don't align, we can go ahead and just stick with the existing Title V format for Section 4 as you suggested.

Thanks so much for your help!

Evan

Evan Gay

Sr Environmental Engineer

Corporate Environmental – Projects Team

Ergon, Inc.

M 601-337-1591

P 601-933-3097



From: Tipane, Frederick <frederick.tipane@wv.gov>
Sent: Wednesday, June 11, 2025 9:47 AM

To: Evan Gay <Evan.Gay@ergon.com>
Subject: [EXTERNAL]Re: Ergon West Virginia Renewal

Good morning Evan,

I'm not exactly sure how to answer your question due to the timing of when your renewal is due. I am currently working on the Significant Modification to incorporate the revisions of the R13 permit. I have revised Section 4 in which, for the most part, uses Ed's Section 4. The revisions include deleting and/or revising many of the existing conditions so simply using Ed's Section 4 for the renewal application may not be the best option.

Do you have an idea on when you will be submitting the renewal application? I hope to have a Pre-Draft of the modification by the end of this month or early July. The Draft/Proposed modification will hopefully be issued before your renewal application is due but the final modification will not be.

With all that said, if you need to submit the renewal application before the Draft/Proposed Significant Mod is issued, it may be better to just include the existing format for Section 4. If the Draft/Proposed Significant Mod has been issued prior to your submission then you could incorporate the modification in the renewal noting that the final modification has not been issued. In either case when the renewal permit is processed, the reviewing engineer will work off of the latest version of the existing Title V permit.

Feel free to call me (304-414-1910) if you wish to discuss the matter or have any questions.

Fred

On Wed, Jun 11, 2025 at 9:34 AM Evan Gay <Evan.Gay@ergon.com> wrote:

Good morning, Fred –

I did have one quick question for you on the renewal application for our refinery in Newell. When incorporating Section 4 of our permit, would you like us to use Ed's Section 4 from the R13 that he issued for our new cogen? Or stick with our existing Section 4 in the current Title V? Ed modified section 4 quite a bit in our R13, so that is my reason for asking.

Thanks so much!
Evan

Evan Gay

Sr Environmental Engineer

Corporate Environmental – Projects Team

Ergon, Inc.

M 601-337-1591**P** 601-933-3097

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Tipane, Frederick <frederick.tipane@wv.gov>

RE: [EXTERNAL]Re: Administrative Update to address Alternative Subpart KKKK SO2 Monitoring

1 message

Evan Gay <Evan.Gay@ergon.com>

Wed, Jun 11, 2025 at 9:32 AM

To: "Andrews, Edward S" <edward.s.andrews@wv.gov>, "Tipane, Frederick" <frederick.tipane@wv.gov>

Got it. Thank you both!

Evan

Evan Gay

Sr Environmental Engineer

Corporate Environmental – Projects Team

Ergon, Inc.

M 601-337-1591

P 601-933-3097



From: Andrews, Edward S <edward.s.andrews@wv.gov>

Sent: Wednesday, June 11, 2025 7:39 AM

To: Evan Gay <Evan.Gay@ergon.com>

Cc: Tipane, Frederick <frederick.tipane@wv.gov>

Subject: Re: [EXTERNAL]Re: Administrative Update to address Alternative Subpart KKKK SO2 Monitoring

Evan,

I did talk to Fred Tipane, your Title V permit engineer, late yesterday morning. He noted that the including the alternative monitoring for Subpart KKKK, would need to be a Title V Minor Modification Application. That means that you need to check the Minor Modification block on page 1 of our general form and include Attachment S form signed by your RO with your Class I Administrative Update submission.

Should you have any questions about attachment S, please reach out to Fred Tipane ext. 41910.

Thanks

Ed

On Tue, Jun 10, 2025 at 10:45 AM Andrews, Edward S <edward.s.andrews@wv.gov> wrote:

Evan,

For this upcoming administrative update, I would suggest coping with the following individuals at Region 3.

Kristen Hall at hall.kristen@epa.gov

MaryCate Opila at opila.marycate@epa.gov

Gwendolyn Suplee at suplee.gwendolyn@epa.gov

Thanks,

Ed

On Tue, Jun 10, 2025 at 9:36 AM Evan Gay <Evan.Gay@ergon.com> wrote:

Good morning Ed, of course. I tried to give you a call, but I believe you were on the other line. I am traveling to Vicksburg today to our other refinery. Sometimes my cell service is a little spotty there. Please feel free to call me when you have some time, or send me an email. Thanks so much! Have a great day.

Evan

Sent from my iPhone

On Jun 10, 2025, at 7:47 AM, Andrews, Edward S <edward.s.andrews@wv.gov> wrote:

Evan,

Could you give me a quick call this morning if you are available?

We have a few suggestions.

Ed

On Fri, Jun 6, 2025 at 3:06 PM Andrews, Edward S <edward.s.andrews@wv.gov> wrote:

Evan,

I am going to have a meeting with my manager on Tuesday regarding your upcoming update request. If Ergon could hold off on submitting this update until after Tuesday, that would be greatly appreciated.

I'll give you a call or email shortly after my meeting.

Thanks,

Ed

--

Edward Andrews, P.E.

Engineer

WVDEP/Division of Air Quality

304-414-1244

[601 57th Street, SE](#)

[Charleston, WV 25304](#)

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Tipane, Frederick <frederick.tipane@wv.gov>

Re: [EXTERNAL]Re: Administrative Update to address Alternative Subpart KKKK SO2 Monitoring

1 message

Andrews, Edward S <edward.s.andrews@wv.gov>

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Cc: "Tipane, Frederick" <frederick.tipane@wv.gov>

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Thanks,
Ed

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Sent from my iPhone

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Thanks,
Ed

--

Edward Andrews, P.E.
Engineer
WVDEP/Division of Air Quality
304-414-1244
[601 57th Street, SE](#)
[Charleston, WV 25304](#)

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Tipane, Frederick <frederick.tipane@wv.gov>

Fwd: Ergon-West Virginia Inc. Request for Regulatory applicability determination

1 message

Andrews, Edward S <edward.s.andrews@wv.gov>

Mon, Apr 28, 2025 at 10:45 AM

To: Brian S Tephabock <Brian.S.Tephabock@wv.gov>, Anthony J Robinson <anthony.j.robinson@wv.gov>, Eric Blend <eric.n.blend@wv.gov>, "Tipane, Frederick" <frederick.tipane@wv.gov>

FYI from R3 Re: Ergon. See attachment.

Ed

----- Forwarded message -----

From: **Ott, Steven** <Ott.Steven@epa.gov>

Date: Mon, Apr 28, 2025 at 10:40 AM

Subject: RE: Ergon-West Virginia Inc. Request for Regulatory applicability determination

To: Evan Gay <Evan.Gay@ergon.com>

Cc: Adkins, Jesse D <jesse.d.adkins@wv.gov>, edward.s.andrews@wv.gov <edward.s.andrews@wv.gov>, George Mesing <gmesing@trinityconsultants.com>

Good morning Mr. Gay,

Please see EPA Region 3's response to your previous request, dated April 1st, 2025. As noted in EPA's response, this response was coordinated with EPA's Office of Enforcement and Compliance Assurance and Office of Air Quality Planning and Standards.

EPA's applicability determination is specific to the facts provided in the April 1st letter and any differences in the constructed facility or its operations may invalidate this response.

If you have any further questions, please reach out at any time.

Best Regards,

Steve Ott

Life Scientist

Air Section

Enforcement & Compliance Assurance Division

U.S. EPA Region 3

215-814-2267

ott.steven@epa.gov



Ergon applicability determination Request.pdf

1103K



REGION 3

PHILADELPHIA, PA 19103

April 21, 2025

Via Electronic Mail

Evan Gay
Senior Environmental Engineer
Ergon – West Virginia Inc.
Newell Refinery
9995 Ohio River Blvd
Newell, West Virginia 26050
EMAIL ADDRESS

RE: Ergon-West Virginia Inc. - Newell Refinery
Request for Regulatory Applicability Determination: Exemption from NSPS KKKK SO₂ Limits for
Sources Subject to NSPS Ja EWVI Cogen Draft Construction Permit R13-2334AJ: SO₂ Limits &
Monitoring

Dear Mr. Gay,

The United States Environmental Protection Agency (EPA), Region 3, is in receipt of your letter dated April 1, 2025, submitted by Trinity Consultants, on behalf of Ergon – West Virginia Inc. The correspondence is regarding a request for exemption of Sulfur Dioxide Performance Standards promulgated in 40 CFR Part 60 Subpart KKKK for Ergon – West Virginia Inc's Newell Refinery located at 9995 Ohio River Blvd. in Newell, West Virginia (Newell Refinery or Facility). The facility is a petroleum refinery and is subject to Standards of Performance for Petroleum Refineries (40 CFR Part 60 Subpart J or NSPS J) and/or Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 (40 CFR Part 60 Subpart Ja or NSPS Ja). Ergon applied for a Modification Permit (R13-2334AJ) to construct a stationary, natural gas fired, combustion turbine and a duct burner, which will combust an 80:20 mixture of natural gas and refinery gas. The draft Modification Permit was issued by West Virginia Department of Environmental Protection (WVDEP) on/around March 6, 2025 for public comment. Additionally, Ergon was issued a Title V operating permit (R30-02900008-2021) on February 9, 2021 and expires on February 9, 2026 . As such, the stationary combustion turbine would be subject to Standards of Performance for Stationary Combustion Turbines (40 CFR Part 60 Subpart KKKK or NSPSKKKK) and the duct burner will be subject to Subpart KKKK and Subpart Ja.

Ergon's request states that the Facility is currently subject to Subpart J and Subpart Ja for refinery gas fired equipment, and complies with the hydrogen sulfide (H₂S) standard of 162 parts per million by volume determined hourly on a 3-hour rolling average basis and H₂S in excess of 60 parts per million by determined daily on a 365 successive calendar day rolling average basis (40 CFR 60.102a(g)(1)(ii)) and compliance with this emission standard is demonstrated through the use of a continuous monitoring

system for H₂S, installed on the refinery gas mix drum. Ergon also states draft permit R13-2334AJ contains language which would require the proposed duct burner to comply with both Subpart Ja's H₂S emissions standards and Subpart KKKK's emissions standards of either: 110 nanograms per joule SO₂ gross output (§60.4330(a)(1)) or total potential sulfur emissions of 26 nanograms SO₂/joule heat input (§60.4330(a)(2)).

As such, Ergon is requesting that given Subparts J and Ja's more stringent sulfur related emissions standards, when compared to Subpart KKKK, the facility should not be required to monitor for and comply with the SO₂ emissions found in Subpart KKKK. Ergon notes Subpart Ja allows facilities, to, either monitor SO₂ emissions as defined in §60.102a(g)(1)(i) or monitor H₂S in fuel gas used in a combustion device as defined in §60.102a(g)(1)(ii) and that that both options for monitoring are equivalent.

EPA grants Ergon's request for exemption to measure hydrogen sulfide emissions, pursuant to 40 CFR Part 60 Subpart Ja, as it relates to the proposed stationary combustion turbine and associated duct burner instead of monitoring sulfur dioxide emissions from both devices. Ergon is not however relieved of any other obligations under Subpart KKKK, such as excess emissions reports and downtime reports as required by §60.4375 and reporting of performance tests require by §60.4400, in addition to any such reports that are required by West Virginia Department of Environmental Protection. Additionally, EPA requests that Ergon's draft permit be submitted to EPA via requesting a link to "GoAnywhere", and notification no less than 60 days prior to startup for the turbine and duct burner.

The EPA's response herein was coordinated with EPA's Office of Enforcement and Compliance Assurance and EPA's Office of Air Quality Planning and Standards. Ergon should coordinate with West Virginia Department of Environmental Protection regarding this request for exemption to determine any additional requirements. If you have any questions regarding this response, please contact Steve Ott, of the Enforcement and Compliance Assurance Division at (215) 814-2267 or ott.steven@epa.gov.

Sincerely,

Melvin,
Karen

Digitally signed by Melvin,
Karen
Date: 2025.04.28
08:02:18 -04'00'

Karen Melvin
Director
Enforcement and Compliance Assurance Division

CC:

Jesse Adkins, WVDEP, jesse.d.adkins@wv.gov

Ed Andrews, WVDEP, edward.s.andrews@wv.gov

George Mesing, Trinity Consulting, GMesing@trinityconsultants.com



Tipane, Frederick <frederick.tipane@wv.gov>

RE: [EXTERNAL]

1 message

Greir Merchant <Greir.Merchant@ergon.com>

Tue, Oct 1, 2024 at 9:15 AM

To: "Andrews, Edward S" <edward.s.andrews@wv.gov>

Cc: Evan Gay <Evan.Gay@ergon.com>, George Mesing <gmesing@trinityconsultants.com>, Wade Robinson <WRobinson@trinityconsultants.com>, "Tipane, Frederick" <frederick.tipane@wv.gov>, Eric Blend <eric.n.blend@wv.gov>, Anthony J Robinson <anthony.j.robinson@wv.gov>, Brian S Tephabock <Brian.S.Tephabock@wv.gov>

Ed,

Thank you. It was good you meet with you all. I think it's very beneficial for EWVI and DEP to have these types of meetings.

EWVI and Trinity will discuss this information as well.

Respectfully,

Greir Merchant

Senior Environmental Coordinator



® Ergon - West Virginia, Inc.

9995 Ohio River Blvd, Post Office Box 356

Newell, West Virginia 26050-0356

greir.merchant@ergon.com

Office 304-387-7012

Cell 304-374-6923

From: Andrews, Edward S <edward.s.andrews@wv.gov>**Sent:** Tuesday, October 1, 2024 8:46 AM**To:** Greir Merchant <Greir.Merchant@ergon.com>**Cc:** Evan Gay <Evan.Gay@ergon.com>; George Mesing <gmesing@trinityconsultants.com>; Wade Robinson <WRobinson@trinityconsultants.com>; Tipane, Frederick <frederick.tipane@wv.gov>; Eric Blend <eric.n.blend@wv.gov>; Anthony J Robinson <anthony.j.robinson@wv.gov>; Brian S Tephabock

<Brian.S.Tephabock@wv.gov>

Subject: [EXTERNAL]

Grier,

I really appreciate opportunity to meet with you and your staff yesterday.

Attached is the ADI that I was referring to yesterday at our meeting.

I had gone back through the EPA new ADI table to make sure EPA has not made other related determinations.

This is my understanding in Subpart Ja that there are "fuel gas combustion devices" and "process heaters" affected sources. A "process heater" that combusts "fuel gas" is an affected source as a "fuel gas combustion device" and as a "process heater" under the subpart. However, a boiler or duct burner of a heat recovery steam generator that is burning "fuel gas" would only be an affected source as a "fuel gas combustion device" and only subject to the "SO₂" or "H₂S" standard of Subpart Ja.

I don't have all of the specifics regarding the attached determination. I am kind of going on my understanding of the difference between "process heater" and a "boiler" is that a "process heater" is used exclusively to initiate or promote a specific/dedicated chemical reaction (as defined in Subparts D, Da, Db, Dc). Without getting in depth with the process heaters at your facility, I would look at them as "process heaters" in general for now. We may need to talk about this later regarding your existing heaters with regards to our State Rule 2.

If George or Wade from Trinity has some additional information on this, that would be greatly appreciated.

Thanks again,

Ed

--

Edward Andrews, P.E.

Engineer

WVDEP/Division of Air Quality

304-926-0499 Ext 41244

[601 57th Street, SE](#)

[Charleston, WV 25304](#)

CELEBRATING



1954 - 2024

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Tipane, Frederick <frederick.tipane@wv.gov>

(no subject)

1 message

Andrews, Edward S <edward.s.andrews@wv.gov>

Tue, Oct 1, 2024 at 8:45 AM

To: Greir Merchant <Greir.Merchant@ergon.com>

Cc: Evan Gay <Evan.Gay@ergon.com>, George Mesing <gmesing@trinityconsultants.com>, Wade Robinson <WRobinson@trinityconsultants.com>, "Tipane, Frederick" <frederick.tipane@wv.gov>, Eric Blend <eric.n.blend@wv.gov>, Anthony J Robinson <anthony.j.robinson@wv.gov>, Brian S Tephabock <Brian.S.Tephabock@wv.gov>

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Thanks again,

Ed

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Edward Andrews, P.E.
Engineer
WVDEP/Division of Air Quality
304-926-0499 Ext 41244
[601 57th Street, SE](#)
[Charleston, WV 25304](#)

**adi_1400021.pdf**
52K



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY - 7 2014

REPLY TO THE ATTENTION OF:

David Beattie
Senior Environmental Engineer
2407 Stinson Avenue
Superior, Wisconsin 54880

Dear Mr. Beattie:

I am writing in response to Calumet Superior's (Calumet's) applicability determination request dated April 14, 2014. Calumet operates two steam generating boilers which have been modified pursuant to the Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 (NSPS Subpart Ja).

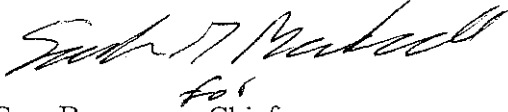
In your letter, you indicate that the boilers each have a capacity of 50 million British thermal units per hour (mmBtu/hr). You state that these boilers are considered fuel gas combustion devices and not process heaters under NSPS Subpart Ja. You request clarification on the applicability of the emission limits for nitrogen oxides (NO_x) set forth at 40 C.F.R. § 60.102a(g)(2), the NO_x performance test requirements at 40 C.F.R. § 60.104a(i), the NO_x monitoring requirements at 40 C.F.R. §§ 60.107a(c) and 60.107a(d), and the NO_x excess emission reporting requirements at 40 C.F.R. § 60.102a(i) to these steam generating boilers.

Determination:

EPA agrees that steam generating boilers which do not meet the definition of a process heater under NSPS Subpart Ja are not subject to any NO_x requirements under NSPS Subpart Ja. To the extent that Calumet's boilers are affected facilities pursuant to the Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (NSPS Subpart Dc), they would be subject to the PM and NO_x standards under NSPS Subpart Dc and to the SO₂ standards under Subpart Ja. See 40 C.F.R. § 60.40(c).

If you have any questions regarding this determination, you may contact Virginia Galinsky at (312) 353-2089.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Breneman".

^{for}
Sara Breneman, Chief
Air Enforcement and Compliance Assurance Branch

cc: William Baumann, Chief, Compliance and Enforcement Section, WDNR



Tipane, Frederick <frederick.tipane@wv.gov>

RE: EWVI COGEN R13/TV MOD APPLICATION (LEGAL ADS for R30-02900008-2021 (SM01))

1 message

George Mesing <GMesing@trinityconsultants.com>
To: "Tipane, Frederick" <frederick.tipane@wv.gov>
Cc: "Edward S. Andrews P. E." <edward.s.andrews@wv.gov>

Tue, Sep 3, 2024 at 10:37 AM

Thanks Fred.

George

From: Tipane, Frederick <frederick.tipane@wv.gov>
Sent: Tuesday, September 3, 2024 10:36 AM
To: George Mesing <GMesing@trinityconsultants.com>
Cc: Edward S. Andrews P. E. <edward.s.andrews@wv.gov>
Subject: Re: EWVI COGEN R13/TV MOD APPLICATION (LEGAL ADS for R30-02900008-2021 (SM01))

George

Ed Andrews (edward.s.andrews@wv.gov) is the R13 engineer assigned to this modification. I have forwarded your email to him.

In regards to the Title V application, it will automatically be deemed complete once the R13 permit is issued.

Thanks,

Fred

On Tue, Sep 3, 2024 at 9:23 AM George Mesing <GMesing@trinityconsultants.com> wrote:

Fred,

As a followup to your 8/13,2024 email to Dylan Beech and Greir Merchant, and on behalf of Ergon, I am attaching the legal ads for the Ergon Cogen project for the application referenced below. I have been away and not sure if these have been provided yet. My understanding is that the check for the application fee has been received along with all other required application pieces. Does the DAQ have everything to initiate technical review of the Ergon Cogen R13 application/project?

Ergon - West Virginia Inc.

Newell Refinery

Facility ID No. 029-00008

Application No. R30-02900008-2021 (SM01)

Thanks,

George

George E. Mesing

Managing Consultant

P 724.935.2611 x 112

M 724.709.1530

4500 Brooktree Road Suite 310, Wexford, PA 15090

Email: gmasing@trinityconsultants.com

www.linkedin.com/in/gmasingtrinityconsultants/



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Tipane, Frederick <frederick.tipane@wv.gov>

Fwd: EWVI COGEN R13/TV MOD APPLICATION (LEGAL ADS for R30-02900008-2021 (SM01))

1 message

Tipane, Frederick <frederick.tipane@wv.gov>
To: "Edward S. Andrews P. E." <edward.s.andrews@wv.gov>

Tue, Sep 3, 2024 at 9:46 AM

Ed,

I received this email in response to the Title V Application completeness letter. His question pertains to the NSR permit. You may already have this information but just in case you don't...

Fred

----- Forwarded message -----

From: **George Mesing** <GMesing@trinityconsultants.com>
Date: Tue, Sep 3, 2024 at 9:23 AM
Subject: EWVI COGEN R13/TV MOD APPLICATION (LEGAL ADS for R30-02900008-2021 (SM01))
To: Frederick.Tipane@wv.gov <Frederick.Tipane@wv.gov>
Cc: Wade Robinson <WRobinson@trinityconsultants.com>, Greir.Merchant@ergon.com <Greir.Merchant@ergon.com>, stephanie.r.mink@wv.gov <stephanie.r.mink@wv.gov>

Fred,

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Ergon - West Virginia Inc.**Newell Refinery****Facility ID No. 029-00008****Application No. R30-02900008-2021 (SM01)**

Thanks,

George

George E. Mesing

Managing Consultant

P 724.935.2611 x 112

M 724.709.1530

4500 Brooktree Road Suite 310, Wexford, PA 15090

Email: gmesing@trinityconsultants.com

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2 attachments



Intelligencer Ergon Affidavit.pdf
368K



LEGAL AD - ERGON - Hometown News.pdf
365K



Tipane, Frederick <frederick.tipane@wv.gov>

EWVI COGEN R13/TV MOD APPLICATION (LEGAL ADS for R30-02900008-2021 (SM01))

1 message

George Mesing <GMesing@trinityconsultants.com>

Tue, Sep 3, 2024 at 9:22 AM

To: "Frederick.Tipane@wv.gov" <Frederick.Tipane@wv.gov>

Cc: Wade Robinson <WRobinson@trinityconsultants.com>, "Greir.Merchant@ergon.com" <Greir.Merchant@ergon.com>, "stephanie.r.mink@wv.gov" <stephanie.r.mink@wv.gov>

Fred,

As a followup to your 8/13,2024 email to Dylan Beech and Greir Merchant, and on behalf of Ergon, I am attaching the legal ads for the Ergon Cogen project for the application referenced below. I have been away and not sure if these have been provided yet. My understanding is that the check for the application fee has been received along with all other required application pieces. Does the DAQ have everything to initiate technical review of the Ergon Cogen R13 application/project?

Ergon - West Virginia Inc.**Newell Refinery****Facility ID No. 029-00008****Application No. R30-02900008-2021 (SM01)**

Thanks,

George

George E. Mesing

Managing Consultant

P 724.935.2611 x 112

M 724.709.1530

4500 Brooktree Road Suite 310, Wexford, PA 15090

Email: gmesing@trinityconsultants.comwww.linkedin.com/in/gmesingtrinityconsultants/



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2 attachments



Intelligencer Ergon Affidavit.pdf

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LEGAL AD - ERGON - Hometown News.pdf

365K



Tipane, Frederick <frederick.tipane@wv.gov>

Read: [EXTERNAL]Completeness Determination, Newell Refinery, Application No.: R30-02900008-2021 (SM01)

1 message

Dylan Beech <Dylan.Beech@ergon.com>

Tue, Aug 13, 2024 at 5:25 PM

To: "frederick.tipane@wv.gov" <frederick.tipane@wv.gov>

[Ergon 70th Anniversary]

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----- Forwarded message -----

From: Dylan Beech <Dylan.Beech@ergon.com>

To: "frederick.tipane@wv.gov" <frederick.tipane@wv.gov>

Cc:

Bcc:

Date: Tue, 13 Aug 2024 21:25:45 +0000

Subject: Read: [EXTERNAL]Completeness Determination, Newell Refinery, Application No.: R30-02900008-2021 (SM01)

 **winmail.dat**
6K



Tipane, Frederick <frederick.tipane@wv.gov>

Completeness Determination, Newell Refinery, Application No.: R30-02900008-2021 (SM01)

1 message

Tipane, Frederick <frederick.tipane@wv.gov>
To: Dylan Beech <Dylan.Beech@ergon.com>
Cc: Greir Merchant <Greir.Merchant@ergon.com>

Tue, Aug 13, 2024 at 5:08 PM

Your combined application for an NSR permit and a Title V significant permit modification for the above referenced facility was received by this Division on August 13, 2024. After review of said application, it has been determined that the Title V significant permit modification is **incomplete**. Pursuant to Section 4.1.b of 45CSR30, a complete application must contain sufficient information for the Secretary to evaluate the subject source and its application and to determine all applicable requirements. Since the changes requested under the Title V significant permit modification are dependent upon the applicable requirements which will be included in the approved NSR permit currently under review, it is not possible for the Secretary to determine all applicable requirements. Since all other elements of the Title V significant permit modification were included, this application shall automatically be deemed to be complete on the date the NSR permit is approved.

In accordance with Section 4.1.a.2 of 45CSR30, an applicant shall file a complete application to obtain a Title V significant permit modification within twelve (12) months after commencing operation. Where an existing Title V operating permit would prohibit such construction or change in operation, the source must obtain a permit revision before commencing operation. If the applicant submitted a timely and complete application and is not required under Section 4.1.a.2 of 45CSR30 to obtain a permit revision before commencing operation, the source's ability to operate without a Title V significant permit modification shall be in effect from the date of startup of the proposed changes until the final permit modification is issued. If during the processing of this application it is determined that additional information is necessary to evaluate or take final action on this application, a request for such information will be made in writing with a reasonable deadline for a response. If the applicant fails to submit any additional information identified as being needed to process the application by the deadline specified in writing, this protection to operate without a Title V significant permit modification shall cease to apply.

The applicant has the duty to supplement or correct the application. An applicant who fails to submit any relevant facts or who has submitted incorrect information in any permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft significant permit modification.

This completeness determination applies only to the Title V significant permit modification. The NSR permit application will undergo a separate completeness review.

Please note that the application referenced the removal of the "Portable Boiler" from the Title V permit. Since the Portable Boiler has requirements in permit R13-2334AI, this boiler and the associated requirements will need to be removed from permit R13-2334AI before it can be removed from the Title V permit.

Should you have any questions regarding this determination, please contact me.

Sincerely,

Frederick Tipane

--



Frederick Tipane

Division of Air Quality

601 57th Street, SE

Charleston, WV 25304

(304) 414-1910

frederick.tipane@wv.gov



Tipane, Frederick <frederick.tipane@wv.gov>

WV DAQ Title V Permit Application Status for Ergon-West Virginia Inc; Newell Refinery

1 message

Mink, Stephanie R <stephanie.r.mink@wv.gov>

Tue, Aug 13, 2024 at 3:24 PM

To: dylan.beech@ergon.com, Greir.Merchant@ergon.com

Cc: Carrie McCumbers <carrie.mccumbers@wv.gov>, "Tipane, Frederick" <frederick.tipane@wv.gov>

RE: Application Status**Ergon - West Virginia Inc.****Newell Refinery****Facility ID No. 029-00008****Application No. R30-02900008-2021 (SM01)**

Dear Mr. Beech,

Your application for a Title V Significant Modification Permit for Ergon - West Virginia Inc.'s Newell Refinery was received by this Division on August 13, 2024, and was assigned to Frederick Tipane.

Should you have any questions, please contact the assigned permit writer, Frederick Tipane, at 304-926-0499, extension 41910, or Frederick.Tipane@wv.gov.

--

Stephanie Mink

Environmental Resources Associate

West Virginia Department of Environmental Protection

Division of Air Quality, Title V & NSR Permitting

[601 57th Street SE](#)

Charleston, WV 25304

Phone: 304-926-0499 x41281