

DAQ Virtual Public Hearing for Roxul Draft TV Permit (2024-07-23 18:07 GMT-4) - Transcript

Attendees

+1 240-***-**55, +1 304-***-**07, +1 304-***-**17, +1 304-***-**60, +1 304-***-**71, Amy Mullins, Charlotte Fremaux, Christine Marshall, Christopher P Scanlan, Dave, David Yaussy, Debbie Royalty, Dennis G Hatcher, Edward F Maguire, Hardy Mason, Jefferson County Foundation, Joe Unger, Joseph A Kreger, Laura M Crowder, Lynn Delles, Mary Chatham, Mike Tony, Nicole D Ernest, Nicole D Ernest's Presentation, rebecca phipps, Robert A Mullins, Robert John Doyle, Sam Jannotta, Sharon Helman, Stephanie Pania, steve pearson, Troy Miller, Windsong Bergman

Transcript

This editable transcript was computer generated and might contain errors. People can also change the text after it was created.

Nicole D Ernest: Be taken in consideration and entered into the public record for the application. A decision will not be made this evening all comments received by the agency prior to the close of the Comet period including those provided here tonight will be reviewed and considered by the staff and you will receive a notification once a decision is made through the daq's response to comments document. The public comment period is scheduled to end at 5 pm on Friday, August 2nd 2024. Please note that comets can be submitted via email to Mullins at Robert dot a DOT Mullins at West at gov by regular mail to Robert Mullins wvdep division of air quality. 601 57th Street Southeast, Charleston, West Virginia 2 5 304

Nicole D Ernest: I will include this information in the chat box so that it is easily available to you.

Nicole D Ernest: To ensure we have an accurate record of everyone attending this evening for the official record. And in attendance to receive notification of the agency's final determination. We ask that everyone register for the hearing. If you did not pre-register, please add your name and contact information in the meeting You can access the chat by clicking the small chat level icon in the bottom right corner of your screen.

Nicole D Ernest's Presentation: I'm Robert Mullins,...

Nicole D Ernest: There will be a short presentation presentation given by Robert Mullins after the presentation.

Nicole D Ernest's Presentation: and I'm going to give a quick overview of what goes into a Title 5 permit and what went into the title 5 permit for roxul's ran facility.

Nicole D Ernest: We will begin accepting comments only.

Nicole D Ernest's Presentation: The main topics that will be covered during this presentation are a brief description of what a Title 5 permit is some of the facility and permit information what documents there are related to this permit. and what the next steps in the permitting process are

Nicole D Ernest's Presentation: A Title Five permit is an operating permit for major sources and it's a consolidation of all applicable requirements that the facility is subject to. These requirements come primarily from three sources State rules federal regulations and the NSR permits for the facility. It should be noted that a Title 5 permit does not change a facilities emissions limits. It only incorporates limits set by applicable State rules federal regulations and...

Robert John Doyle: you are

Nicole D Ernest's Presentation: NSR permits.

Nicole D Ernest's Presentation: This particular Title 5 permit is for the Rand facility, which manufactures Stone wool insulation and is located in Jefferson County.

Nicole D Ernest's Presentation: This is a list of the state rules and federal regulations that the Rand facility is subject to. Please see the title five fact sheet for detailed discussion. The fact sheet can be found at the web address on the last slide of this presentation.

Nicole D Ernest's Presentation: this table details the facilities potential to emit these potentially missions are based on the limits set in 140037 a

Nicole D Ernest's Presentation: the title 5 permit application was received on May 2022. It was then put on hold till the associated R permit after the associated nxr permit update was It was then appealed by both the Jefferson County foundation and roxul. The air quality board has yet to make a final ruling on the roxul appeal. daq published the public notice for the title five draft proposed permit on May 22nd 2024 and received a request for a public hearing on June 7th 2024 Daq, then published another notice of the 5 draft permit and public hearing. No.

Nicole D Ernest's Presentation: on June 19th 2024

00:05:00

Nicole D Ernest's Presentation: The main difference between the recently issued r14-00378 permit and...

Robert John Doyle: completely

Nicole D Ernest's Presentation: the facilities Title Five permit is the inclusion of the full text of Apple requirements that had previously only been Incorporated by reference.

Nicole D Ernest's Presentation: If there are multiple compliance options in the regulations, then the options that roxul is using has been indicated.

Nicole D Ernest's Presentation: the reason the full text has been incorporated into Title Five is because the title five program requires the title 5 permit to renew every five years at which time all Apple requirements are updated if there's been a change to an underlying Rule and regulation. Instead of relying on the incorporation by reference to account for those potential changes.

Nicole D Ernest's Presentation: The other difference is the inclusion of notes to the conditions where the underlying r14-0037a condition was appealed by roxul. These notes are information only and do not affect the actual requirement. They are connected to

Nicole D Ernest's Presentation: the title five fact sheet and the draft permit Are the two primary documents associated with this permit these documents can be found at the web address that will be listed on the last slide of this presentation.

Nicole D Ernest's Presentation: After this public hearing comments will be accepted till 5 PM on August 2nd 2024.

Nicole D Ernest: Thank you, Again this evening. We will only be accepting comments while your comments may contain questions. There will be no responses or answers provided to comments this evening. Each commenter will be given five minutes to speak. I will call on those who indicated they wish to speak on the registration form first and then open the floor if there's any time at the end, we will Circle back to allow for additional comments. When you are called upon to give your comment, please unmute your mic state your name and any organization that you represent. If you are calling in by phone, please press star 6 to unmute your mic. To ensure that we successfully achieve the purpose of this hearing. We asked everyone to be respectful and considerate of each other by refraining from using foul language name calling and interrupting others while they are speaking.

Nicole D Ernest: We also ask that you keep your comments on the topic of this application so that our time together is used efficiently. Thank you for bearing with me through these opening remarks and instructions. We will now call our first speaker browntruslow. Please unmute your mic state your name and any organization that you represent.

Nicole D Ernest: Is there Brown Tressler present?

Nicole D Ernest: Okay, we'll come back Joseph Unger. Please I'll meet your Mike state your name and any organization that you represent.

00:10:00

Nicole D Ernest: Yes, I can hear you David.

Nicole D Ernest: Circle back around Yes, no problem. Okay, Nicola Bastian.

Nicole D Ernest: Nicola if you're on the call, I'll meet your Mike state your name and any organization that you represent.

+1 304-***-**07: Hello.

Nicole D Ernest: Yes, Nicole we can hear you.

+1 304-***-**07: Okay,...

Nicole D Ernest: Please go ahead.

+1 304-*-**07:** just put for the records. I registered with an AOL number and then I was unable to get in With the link given so that is why I can only be on the phone and I think you may have lost a lot of other people that way and here is my comment. I represent the

+1 304-*-**07:** Jefferson County end of the ACP as well as chair of the Eastern Panhandle green coalition. The comment is the following the Eastern panhands Green Coalition, epgc and the Jefferson County NAACP are concerned about the continuous degradation of our County's air quality and diffusion of our Water Resources due to minimally monitored and forced increasing pollution from Industrial Development of a formerly Aquarian environment in tourist industry based economy. the effect mostly on lower income neighborhoods close to these industries and I'm talking effects of increased. asthma and lung cancer in the neighborhood of this

+1 304-*-**07:** Rockwall facility roxul epgdt and the JC and double ACP stands fully behind the Jefferson County foundation's. Okay, Jay if assessment and critique of the Rocks so air permit application and they applying of the most stringent rules to protect our Nicola Bastion

Nicole D Ernest: Thank you, la. The next speaker is Ruth Hatcher, if you're on the call, please. I'll meet your Mike state your name anyone any organization that you represent?

Dennis G Hatcher: Hi, can you hear me? Okay. I am under my husband's computer.

Nicole D Ernest: Yes, ma'am.

Dennis G Hatcher: I've been trying for the last 30 minutes to log From my computer and have been unable to do so.

Dennis G Hatcher: So I will go ahead and use my husband's computer. I'd like to thank you for this opportunity to speak first of all. Good evening, everyone. These comments are in addition to my previous submitted comments. The West Virginia dep has a responsibility to be transparent while protecting human health and the environment while holding Rockwell's pollution and Mission limits as required by various state and federal laws. Waffle is a Danish. con glamorant who's prior North American president? Trent oblivine Said no harm. Would come to anyone.

+1 304-*-**07:** just

Dennis G Hatcher: The public has heard the same story from DuPont regarding forever chemicals. The tobacco industry regarding cigarette smoking and big Pharma over the use of opioids. We are humans. not receptors and Ruffles 35 mile radius of significant pollution, which is over 700,000 plus people and four states. We have skin in the game. As well as our lungs hearts and the rest of the bodies. My husband was diagnosed with lung cancer.

00:15:00

Dennis G Hatcher: Just I'm sorry.

Dennis G Hatcher: with lung cancer earlier this year So in this extremely personal to me. My family your friends.

Dennis G Hatcher: excuse

Dennis G Hatcher: American Lung Association in Denmark scientific Community does not consider air pollution to be harmless.

Nicole D Ernest: Thank you so much for comment The next commenter that signed up is Amy Hartman if you're on the line, please unmute your mic state your name and any organization that you represent.

Nicole D Ernest: Amy if you've called in by phone, you can press star mute to unmute your mic

Nicole D Ernest: Sorry star 6 to unmute your mic.

Nicole D Ernest: Okay, we'll come back if Amy's on the line the next commenter is Jim Reed if you're on the line, please let me hear your Mike state your name and any organization that you represent.

Nicole D Ernest: The next commenter that registered is Daniel Lutz, if you're on the line, please don't meet your Mike state your name and any organization that you represent.

+1 304-*-**71:** Am I coming through?

Nicole D Ernest: Yes, We can hear you. Yes, sir.

+1 304-*-**71:** Daniel looks I'm affiliated with the Eastern band hunter green Coalition. I'm Rebecca's in Jefferson County and also in elected official, Jefferson County. I live approximately five to six air miles from Rockwell facility. I've been from the Veterans Administration Hospital. I have been treated for chronic sleep apnea and I sleep with what is known as my property Every month or so we're asked to change the air filters in these devices and beginning with the change. I made in November of 2020. following upon prior

+1 304-*-**71:** I started saving the old filter pads from my BiPAP device. Putting them in a plastic ziplock bag and mailing with plastic ziplock bag to myself by certified me. I now have about 50 such samples. Of the air that I have been breathing before Rockville began to operate and up to the moment through the July of 2024.

00:20:00

+1 304-*-**71:** I would be happy to make these samples available to a legitimate scientific firm. the West Virginia dep to evaluate and look and ask that they tell the public what exactly they found in these samples. It is mostly particular matter. So I don't know what else and I will not pretend that this is a perfectly scientific way of doing this but as a Layman with the abductions from American University, it was the best I could do. and without having a lab. So I would ask the dep to let me know if they wish to consider this evidence. However, Prima fascia, it might be. At various times within the first year of operation of Rock.

+1 304-*-**71:** I was awakened in my bedroom here in Jefferson County by the smell of benzene. for my undergraduate work, I am very familiar with Benzene. It's a smell you never forget once you inhale it. And I knew I don't keep any compounds of the kind in my house because there are too dangerous. These could only have been coming from rock wall, especially at three o'clock in the morning. that would be the time when I fit Rockwell at least it's worst contaminants. When nobody will be watching. Finally I have spoken back in 2022. I spoke with a representative of the dep and I wish I could find his name immediately. I would call his first name was Christopher and I asked him if I might ask to see the monitoring result.

+1 304-*-**71:** Of the monitoring they have been doing for the air quality can emissions from rockwool. He told me to go mind my own business. So I thank you for your time. And I don't have a lot of faith in depth. Thank you.

Nicole D Ernest: Thank you so much Daniel for your comments the next commenter that registered is Anastasia if you're on the line, please don't meet your Mike state your name and any organization that you represent.

Nicole D Ernest: Okay, we'll move on the next person that registered to comment is Chatham Mary. If you're on the line, please I'll meet your Mike state your name and any organization that you represent.

Mary Chatham: me Hi,...

Nicole D Ernest: Yes, Mary, we can hear you.

Mary Chatham: my name is Mary Adams Chatham. My family lives next on a farm next to the Rockwell plant and it has been farmed for many years. We see the present cloud of emissions from the chimneys of Bilo over the fields. We cannot analyze the safety of living next to this constant exhaust but can read what's in the exhaust and are very concerned and that's why we want to know that the proposed permit requires.

Mary Chatham: Regular record keeping rockwool and clear guidelines for sharing those records in semi-annual reports and that these guidelines would be enforceable. It's very concerning. This hasn't happened. Even the plant has been running 24/7 since it opened what good are government regulations to protect our quality of our area if records are not required and then reviewed regularly by independent scientists in the EPA. I'd like to connect myself with all of the other speakers tonight. And I'd say how concerning it is for all of us who live nearby but the air goes everywhere and we're not even talking about the water. So it's really important for everyone that we have strong.

00:25:00

Mary Chatham: Adequate guidelines for monitoring compliance and enforcement with this large corporation that knows how to maneuver the law and get around anything. They want to thank you.

Nicole D Ernest: Thank you so much, Mary. The next person that registered to give comment is Weimer Chrissy. If you're on the line, please don't meet your Mike state your name and any organization that you represent.

Jefferson County Foundation: Nope.

Jefferson County Foundation: Can you guys hear me? Okay. Sorry took many tries.

Nicole D Ernest: Yes, Chrissy. Okay.

Jefferson County Foundation: I My name is Christine Weimer. I'm a resident of Jefferson County and I represent Jefferson County Foundation.

Jefferson County Foundation: The following concerns with the Rockwell Title 5 permit application first the NSR permit continues to be under appeal which could impact some of their requirements that apply to this facility. Second the permit should be reviewed in just with an environmental justice Lynn's. The EJ

screen report for one mile from the site denotes. The facility has among the highest proportion of people of color people lacking a high school education and children under the age of five in West Virginia and ranks about the 50th percentile Statewide for all air pollution related environmental indicators. three lack of most current emission information

Jefferson County Foundation: Rockwell's permit application the proposed permit and daq's fact sheet rely on 2022 emission data without explaining where those figures came from. The proposed permit should rely on the most current emissions information from 2023 and the fact she should explain how the emissions were calculated including all underlying data and assumptions to confirm that the title 5 permit relies on accurate emissions information and includes all relevant Premier requirements number four. use of back T level controls daq's fact includes many blanket assertions that rock walls. use of back T level and quote controls in the NSR permit means the facilities emissions level.

Jefferson County Foundation: Levels comply with various state and federal requirements. However, such such assertions are inadequate to support Insurance of the title five Operational permit it is not clear that the limits in the existing NSR permit represent back T level controls because We're formulated when Rebecca's intent intended to burn coal. And natural gas and do not represent the facilities actual operation based on the burning of natural gas only.

Jefferson County Foundation: Daq's fact sheet must explain how these limits will represent back to the level controls under natural gas. Only operating scenarios daq's fact sheet must explain why use of the supposed back T level controls will result in emissions that satisfy the specific numerical requirements the various state and federal requirements, including estimated risk to the surrounding populations, and any final Title 5 permit muscle Rock will to measure and then report the corresponding actual emissions information to daq. In a publicly accessible form to show the facility is meeting its permit requirements.

Jefferson County Foundation: Those are my comments. I want to add two things since I have a small bit of time remaining one of the public members who wanted to join us today, but I don't think he's been able to get on many of the public members is a colleague of mine whose property adjoins the property where Rockwell is he has never had any sort of allergy issues when Rockwell started operating and acutely and immediately when Rockwell started operating he started to have a skin allergy and upper respiratory problems. He visited the emergency room on multiple occasions, the emergency room doctor told him to that. He needed to immediately move.

00:30:00

Jefferson County Foundation: And when he spent time away from his house, which is very close. He got better and then every time he moves back he gets sick again.

Nicole D Ernest: Thank you Christine. The next person that registered to comment is Lynn delles, if you're on the line, please I'll meet your Mike state your name and any organization that you represent.

Lynn Delles: Thank you. Can you guys hear me?

Nicole D Ernest: Yes, ma'am.

Lynn Delles: My name is Lynn delles, and I am also part of Jefferson County Foundation. I'm also a resident here in Jefferson County. I want to farm just a few miles away from Rockwell so my comments about the Title 5 permit here. I have a few key points and I'll identify them here. I think DP needs to make

sure that they identify specific nsps and Niche apps requirements that apply to Rockwell daq asserts that the proposed permit includes many federal rules regarding criteria and toxic care pollutants for example nsps and these shops that apply to the Rockwell facility. However, many of these Federal rules have multiple compliance requirements that depend in part on the specific source of operation at issue and the proposed permit often copies conditional text from these roles without specifying whether or how it applies to the Rockwell facility.

Lynn Delles: Daq's fact sheet must identify the specific requirements applicable to Rockwell for each rule and the proposed permit must include those limits and conditions as requirements. So that Rockwell and the public can determine their compliance with them for example terms such as for those facilities proposed permit at 3.1.7 should be modified to read quote when Rockwell is performing end quote in conditional texts such as coach if you own or operate any affected source that is subject to the requirements and propose permit at 4.1.6 or quote owners and operators of fire pump engines with a displacement of less than 30 leaders per cylinder and quote propose permit at 4.1.10. must be changed to clearly State the specific emission point at Rockwell to which this requirement applies.

Lynn Delles: And to the extent that these rules require Rockwell to develop specific and operation maintenance monitoring plans such as a bag leak detection system under term 4.2.12 and the 40 CFR 63 subpart triple D plan required under the term. 4.2.16 Rocco must provide those plans now and the de daq must reissue a revised permit for public comments so that the daq and the public can ensure that any final Title 5 permit includes the types of specific plans necessary for Rockwell to meet the associated requirements.

00:35:00

Lynn Delles: Next issue is lack of reporting of relevant operational emission limit information while the proposed permit includes various monitoring record keeping requirements. It is not clear whether Rockwell is required to report that information in its semi-annual reports without such information. It would be difficult for daq and the public to confirm that Rockwell is complying with the permit reporting this information is especially important given that the recently revised NSR permit was issued due to Rockwell's classification as a synthetic minor Source based on operational controls and other limits to lower its emissions. For example term 4 point 2.6 requires Rockwell to use continuous submission monitoring a pollutants at The Melting Furnace,...

Nicole D Ernest: Mike state your name and any organization that you represent.

Christine Marshall: Hi, this is Christine Marshall.

Lynn Delles: but does not require Rockwell to report that information only to keep it on file for three years.

Christine Marshall: I am representing myself.

Lynn Delles: So it is not clear whether it is continuous emission monitoring data is required monitoring that must be reported Samuel annually under term for point five point one a and...

Christine Marshall: I'd like to say to please update with the most current emissions information to the proposed permit and permit application in January 2024 at a Charlestown utility board meeting a request was made to increase the Wastewater flow to the utility from Rockwell.

Lynn Delles: there are issues with the VOC emissions information from the fleece.

Lynn Delles: Questions in term 4.2.7 and reporting of actual VOC emission information is essential for the daq and the public to determine Rockwell's compliance with the permit in synthetic minor Source status.

Christine Marshall: This increase in waste output went from 17,000 gallons a day to 30,000 gallons per day this reflected numbers in October and...

Lynn Delles: Next issue is lack of adequate margin of safety the proposed permit generally allows pollution emissions at the same level as the emission limits required to comply with various state and...

Christine Marshall: November of 2023 which were exceedances.

Lynn Delles: federal rules, which are intended to protect human health and...

Christine Marshall: This nearly doubling of Wastewater reflected significant increase in production as was noted by the general manager and...

Lynn Delles: the environment to provide an adequate margin of safety and ensure Rock was compliance with these requirements any final Title Five permit should set these emissions limits at a level lower than the maximum allowed under these rules such as 90 to 95 percent in the permitted maxims or...

Christine Marshall: legal counsel. Production increased significantly in 2023.

Lynn Delles: 80% when emissions are variable.

Christine Marshall: Why does the error Mission information in the app proposed permit use data from 2020 to?

Lynn Delles: With the remaining time. I just want to say please also keep in mind that every time I drive by a warehouse not far from where Rockwell is located. I see them stacking material outside, and I really hope that your people that watch these things if they need anybody to point them in the right direction. I'm happy to drive them over there and show them how they're stacking product outside. It is still a concern of mine as far as what gases are emitting over there in the middle of a very rural area. Thank you again for considering these comments, and I appreciate you taking the time to listen to all of our concerns. Thank you.

Nicole D Ernest: Thank Christine. The next person registered to give comment tonight is Jeanine Stein unan if you're on the line, please don't meet your Mike state your name and any organization that you represent.

Nicole D Ernest: Okay, the next person registered to speak is John. Gunano. If you're on the line, please I'll meet you Mike state your name and any organization that you represent.

Nicole D Ernest: If you're calling in by a phone John you can hit star six to unmute your mic.

Nicole D Ernest: Okay, that was the end of the people that registered to give comments. So we'll Circle back around to the top and see if anybody is available Brown if you're on the line, please unmute your mic or hit star six to unmute your mic.

00:40:00

Nicole D Ernest: Okay, circling back around to Joe Unger.

Joe Unger: Hi, Nicole. Thank you for allowing us to have comments today. I'm Joe Unger. I come here on behalf of the West Virginia manufacturers Association. Wanted to clarify that ran 5 is by design a synthetic minor source, and not a major source of air pollution. This is a Title Five permit one that is required by the Clean Air Act. And that is similar to those developed for many West Virginia manufacturers. Unlike many other manufacturers though Rockwell has been subject to its significant additional regulatory scrutiny including public meetings such as this one that have not been required for other businesses.

Joe Unger: despite this close public inspection. It has never ceased to be transparent and open to the community and the wvma commends rockwool for its transparency this permanent collection of all the limitations and requirements that have already been imposed on it it does not allow any new emissions or new activities. It is essentially the same permit that is already been issued for the facility and that was subject to previous comment. Rockwell is using the best available control technology for its emissions, even though it has accepted restrictions so that it is only a minor source of air pollution.

Joe Unger: many manufacturers Rockwell goes beyond above and beyond what is required by regulations to reduce emissions from its operations. Rock was a valued member of the West Virginia manufacturing community and it is producing an environmentally beneficial product that is in great demand We join the many people in Jefferson County who welcome to Rockwell and hope for many years of continued production at The Ransom facility. Those are all the comments that I have. Thank you.

Nicole D Ernest: Thank you, The next person registered is Amy Hartman.

Nicole D Ernest: Amy if you're on the line go ahead and unmute your mic or press star 6 to unmute your mic

Nicole D Ernest: Okay, the next person Jim Reed if you're on the line, please I'll meet your Mike or press star 6 if you're calling in by phone to unmute.

Nicole D Ernest: Next is Anastasia if you're on the line me unmute your mic or press star 6 if you're calling in by phone.

Nicole D Ernest: Next is ine and Jeanine if you're on the line, you might meet your mic or press star 6 if you're calling in by phone.

Nicole D Ernest: Okay, and the last person on the list John gunino? If you're on the line, I'll meet your Mike or press star 6.

Nicole D Ernest: Okay, we've reached the end of those who registered to make a comment. Are there any additional attendees who wish to make a comment? If so, please use the raised hand feature or unmute your mic state your name and organization that you represent.

00:45:00

Dennis G Hatcher: Then this Hatcher. normally

Dennis G Hatcher: Thanks for listening. I'm not really affiliated with any organization. I would like to say as a Navy industrial controls mechanic for better than 30 years

Dennis G Hatcher: How can we be assured? That even if they are using the best available control technology. These controls are actually calibrated and precise.

Dennis G Hatcher: And it would seem to me that everything is so. controlled and precise they wouldn't have an issue. with creating the reports so that they would be available to the public.

Dennis G Hatcher: That's really my main concerns. Thank you.

Nicole D Ernest: Thank you, Dennis. Is there anybody else who wishes to make comment tonight? Use the raise hand feature or you can unmute your mic and begin with your comment.

Nicole D Ernest: If you'd like to make a comment and you're calling in by phone, please use star 6 to unmute your mic state Any organization that you recommend that you represent and begin with your comment?

Nicole D Ernest: Any additional comments? going once going twice

Nicole D Ernest: Okay, since there are no more comments for the roxulusa Incorporated draft Title 5 permit. the hearing the comment period will close at 5 pm on Friday, August 2nd 2024. Written comments can be submitted via email to Robert Mullins at Robert dot a DOT Mullins at by regular mail to Robert Mullins wvp division of air quality 601 57th Street Southeast, Charleston, West Virginia 25 304 again, please make sure that your name and contact information are in the hearing chat if you did not register for the hearing tonight. Thank you so much for your interest and for taking the time to a hint to attend this hearing have a good evening.

Meeting ended after 00:49:09 