

Fact Sheet



For Final Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

This Fact Sheet serves to address the changes specific to this Minor Modification, and shall be considered a supplement to the Fact Sheet corresponding with the Title V operating permit issued on February 9, 2021.

Permit Number: **R30-02900008-2021(MM02)**
Application Received: **September 10, 2021**
Plant Identification Number: **03-54-029-00008**
Permittee: **Ergon - West Virginia, Inc.**
Mailing Address: **P.O. Box 356, Newell, WV 26050**

Permit Action Number: *MM02* Revised: *November 23, 2021*

Physical Location: Newell, Hancock County, West Virginia
UTM Coordinates: 531.25 km Easting • 4495.35 km Northing • Zone 17
Directions: Two miles south of Newell on State Route 2

Facility Description

Ergon - West Virginia, Inc. (EWVI) owns and operates a petroleum refinery (SIC 2911 and NAICS 324110) in Newell, West Virginia. The refinery processes crude oil and produces several petroleum products such as diesel, gasoline, kerosene, and crude oils. The facility has the potential to operate twenty-four (24) hours a day for seven (7) days per week.

Emissions Summary

There is no change in emissions due to this modification.

Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit 230 tons per year of Carbon Monoxide, 206 tons per year of Nitrogen Oxides, and 195.97 tons per year of Volatile Organic Compounds. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, Ergon - West Virginia, Inc. is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

The modification to this facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR13 45CSR30	NSR Permits Operating permit requirement.
State Only:	None	

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.*, 45CSR16, 45CSR34 and 45CSR30.

Active Permits/Consent Orders

The active permits/consent orders affected by this modification are as follows:

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (<i>if any</i>)
R13-2334AI	September 23, 2021	

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table," which may be downloaded from DAQ's website.

Determinations and Justifications

Changes from R13-2334AI have been incorporated in the Title V permit. These changes include the following:

- Condition 4.1.30. of this permit was updated per company's request. The portable boiler was authorized for use when the existing facility boilers were taken offline for inspection, maintenance, and/or repair. The permit currently includes the following restriction: "The portable boiler shall only operate when either Boilers A, B, or C are offline." EWVI requested to amend this condition to make it clear that both the portable boiler and the facility boilers may operate during the transition period needed to startup the portable boiler (at the onset of the inspection/maintenance/repair event) as well as the transition period needed to startup Boiler A, B, or C (after the inspection/maintenance/repair event). No increase to the allowable hours for the portable boiler was requested.

Non-Applicability Determinations

The following requirements have been determined not to be applicable to the subject facility due to the following:

None.

Request for Variances or Alternatives

None.

Insignificant Activities

Insignificant emission unit(s) and activities are identified in the Title V application.

Comment Period

Beginning Date: N/A

Ending Date: N/A

Point of Contact

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

Beena Modi
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
Phone: 304/926-0499 ext. 41283
Beena.j.modi@wv.gov

Procedure for Requesting Public Hearing

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

Response to Comments (Statement of Basis)

Not applicable.