

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 August 18, 2015.

Permit Number: **R30-02900008-2015**
Application Received: **December 10, 2019**
Plant Identification Number: **03-54-029-00008**
Permittee: **Ergon Corporation - West Virginia, Inc.**
Mailing Address: **P.O. Box 356, Newell, WV 26050**

Permit Action Number: *MM07* Revised: *August 4, 2020*

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 Corporation - 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.

This modification is to increase the crude charge limit, increase the rated capacity of heater H-102R, and increase the production of heavy products, add a new 32,800 barrel fixed roof tank (4073), and include facility wide HAP limitations. These changes were approved under R13-2334AE.

Emissions Summary

This modification results in the following emission changes:

Pollutant	Change in Potential Emissions (tons/year)
VOCs	+2.65
HAPS	+0.17

Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit 227.31 tons per year of Carbon Monoxide, 200.54 tons per year of Nitrogen Oxides, and 200.4 tons per year of Volatile Organic Compounds. Due to this facility's potential to emit over 100 tons per year of criteria pollutants, 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	Construction Permits
	45CSR16	40 CFR Part 60 Performance Standards
	45CSR30	Operating permit requirement
	40 CFR Part 60 Subpart Ja	NSPS for Petroleum Refineries
	40 CFR Part 60 Subparts Kb	NSPS for Storage Tanks
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>)
R13-2334AE	May 1, 2020	

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

40 CFR60, Subpart Ja: Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007

Subpart Ja applies to process heaters at petroleum refineries which are modified after May 14, 2007. The only fuel gas combustion device that will be modified as an element of the project is H-102R where the

maximum heat input will be increased to 39.2 mmBtu/hr. H-102R is already subject to NSPS Ja, so the proposed project does not change the current applicable requirements for that heater. Under NSPS Ja, fuel gas combustion devices are subject to either the SO₂ or hydrogen sulfide (H₂S) limitation of 40 CFR §60.102a(g)(1). EWVI complies with the H₂S fuel gas concentration limit (162 ppmv determined hourly on a 3-hour rolling average basis and 60 ppmv determined daily on a 365 successive calendar day rolling average basis). The NO_x limitations of 40 CFR §60.102a(g)(2) do not apply to H-102R even after the project as the new maximum rating will still be less than 40 mmBtu/hr. As such, the key requirements of NSPS Ja for H-102R are as follows:

- Monitor the fuel gas H₂S composition as required by 40 CFR §60.107a(a)(2),
- Maintain records per 40 CFR §60.108a(c), and
- Submit excess emissions reports §60.107a(i) and §60.108a(d).

40 CFR60, Subpart Kb: Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984

Subpart Kb of 40 CFR 60 is the NSPS for storage tanks containing Volatile Organic Liquids (VOLs) for which construction commenced after July 23, 1984. The subpart applies to storage vessels used to store volatile organic liquids with a capacity greater than or equal to 75 m³ (19,813 gallons).

The new proposed storage tank (TK-4073) will have a capacity greater than 151 cubic meters (> 39,890 gallons) and will contain a material with a vapor pressure greater than or equal to 3.5 kilopascals (0.51 psi), but less than 5.2 kilopascals (0.75 psi). As such, the tank will be subject to limited requirements of Subpart Kb as follows:

- Maintain readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel;
- Maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period; and
- Notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range.

The following changes were made to the Title V Permit as a result of this modification:

- Table 1.1 Emission Units was updated to reflect the increased capacities of Heater H-102R and the crude distillation unit CDU. Additionally, Table 1.1 was updated to add tank TK-4073.
- New conditions 3.1.13 and 3.2.1 were added to include facility-wide HAPs limit and monitoring.
- Condition 4.1.7 was updated to reflect the PM emission increase from Heater H-102R from 2.65 pounds per hour to 3.53 pounds per hour.
- Condition 4.1.18 was updated to reflect the new increased monthly and annual emissions from Heater H-102R.
- Condition 6.1.1 was updated with the new crude oil charge rate into the crude oil distillation unit of 961,775 barrels per month and 9,617,750 barrels per year.
- Condition 7.1.1 was changed to add the new tank and update throughputs.
- Condition 7.1.2 was changed to update the emission limits for the tank group.

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- The new tank was added to the list of tanks in condition 7.4.6 subject to the Subpart Kb recordkeeping requirements of 40 CFR §60.116b.

Non-Applicability Determinations

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

40 CFR 63 Subpart CC: National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries - Subpart CC applies only to affected sources that are located at facilities that are major sources of HAPs. The permit will limit the PTE of HAPs at the Newell Refinery to below 25 tpy combined and 10 tpy individual. Therefore, Subpart CC does not apply.

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: Not Applicable for minor modifications.
Ending Date: N/A

Point of Contact

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

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West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
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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.