

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: **May 3, 2018**

Plant Identification Number: **03-54-02900008**

Permittee: **Ergon Corporation - West Virginia, Inc.**

Mailing Address: **P.O. Box 356, Newell, WV 26050**

Permit Action Number: *MM04* Revised: *December 27, 2018*

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 incorporates the changes authorized by R13-2334AB, which includes installation of three tanks and the modification of three other tanks.

Emissions Summary

With the proposed changes in Permit R13-2334AB, the facility's total increases to their potential to emit are:
Carbon Monoxide (CO) - 0.43 tpy, Nitrogen Oxides (NO_x) - 0.09 tpy, Particulate Matter (PM, PM₁₀, PM_{2.5}) - 0.01 tpy, Sulfur Dioxide (SO₂) - 1.23 tpy, Volatile Organic Compounds (VOCs) - 7.76 tpy, and Hazardous Air Pollutants (HAPs) - 0.79 tpy.

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 171.36 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 C.F.R. 60 Subparts K, Kb	NSPS for Storage Tanks

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

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit (<i>if any</i>)
R13-2334AB	October 16, 2018	

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

This Title V minor modification includes the revisions authorized by NSR permit R13-2334AB. As a result of the 45CSR13 changes, the following changes were made to the Title V permit under minor modification MM04:

- The Emissions Units Table 1.1. was revised by increasing the design capacities of TK-4004, TK-4005, and TK-4006, changing the description of TK-4012 and TK-4013, and adding TK-4070, TK-4071, and TK-4072.
- The Table in Section 1.2. was updated.
- Condition 5.1.9. was revised to update the emission limits from R13-2334AB.
- Condition 5.1.10. was revised to update the throughput limits and remove the operational limit from the flare's pilot light per R13-2334AB.

- The Tables in Conditions 7.1.1. and 7.1.2. were updated to correlate with the R13 permit.
- Condition 7.1.4 was revised to update the list of affected tanks per R13-2334AB.
- Conditions 7.1.5. and 7.4.3 were revised to update the list of tanks subject to 40 C.F.R. 60, Subpart K. In the application, the permittee stated that Tank 4041 was constructed prior to the applicability date of 40 C.F.R. 60, Subpart K and has not been modified or reconstructed.
- Conditions 7.1.7., 7.2.2., 7.4.5., and 7.4.6. were revised to update the list of tanks subject to 40 C.F.R. 60, Subpart Kb. In the application, the permittee stated that Tanks 4001, 4014, 4015, 4018, 4052, and 4053 were constructed prior to the applicability dates of 40 C.F.R. 60, Subparts K, Ka, and Kb and have not been modified or reconstructed.

40 C.F.R. 60, 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 C.F.R. 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). However, storage tanks with a capacity greater than or equal to 151 m³ (39,890 gallons) storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) (0.51 psi) or with a capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure less than 15.0 kPa are exempt from Subpart Kb.

Tank 4070 - The proposed new ethanol tank will have a capacity of 630,000 gallons. The vapor pressure of ethanol is between 0.75 and 11.11 psi (5.2 and 76.6 kPa). Therefore, the tank will be an affected source subject to the floating roof requirements of 40 C.F.R. §60.112b(a).

Tank 4071 - The proposed new gasoline tank will have a capacity of 1,260,000 gallons. The vapor pressure of gasoline is between 0.75 and 11.11 psi. Therefore, the tank will be an affected source subject to the floating roof requirements of 40 C.F.R. §60.112b(a).

Tank 4072 - The proposed new feedstock tank will have a capacity of 1,260,000 gallons. The vapor pressure of the feedstock is less than 0.51 psi. Therefore, Subpart Kb will not apply to the tank.

Tanks 4004, 4005 and 4006 - The proposed modifications to these gasoline tanks will increase the capacity of each tank to 1,260,000 gallons. The tank will continue to store gasoline products with a vapor pressure between 0.75 to 11.11 psi. For an existing source to trigger NSPS applicability an affected source must be "modified" or "reconstructed" as defined in Subpart A of the NSPS. Under Subpart A, an affected facility is modified if it involves a physical change and an associated increase in emissions. The increase in tank size meets both of these requirements meaning the tanks will be affected sources subject to the floating roof requirements of 40 C.F.R. §60.112b(a).

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 for minor modifications
Ending Date: N/A

Point of Contact

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

Carrie McCumbers
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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

Not applicable.