Public Meeting
cconcerning
Allegheny Wood Products, Inc.
Baker Log Yard

May 4, 2023

West Virginia Division of Air Quality
Virtual Public Meeting
Presentation Outline

■ Introduction
■ Permitting Process
■ Project Overview
■ DAQ Documents
■ What Happens Next?
■ Summary and Contact Information
Permitting Programs

- “Pre-construction” Permits
  - Minor Source Program (45CSR13)
  - Major Source in Attainment Areas (45CSR14)
    - “Prevention of Significant Deterioration” (PSD)
    - Major Source in Non-Attainment Areas (45CSR19)

- Post-Construction Operating Permit Program
  - Title V Process
    - Major Source (Permit) vs. Minor Source (No Permit)
    - 45CSR30
Minor Source Permitting Program

- Applicable to new “minor sources” of air pollution
  - Administered under West Virginia Legislative Rule 45CSR13

- 45CSR13 Permitting Process: What it does do:
  - Determine/enforce compliance with state/federal air quality rules and regulations
  - Determine/enforce compliance with facility’s air emissions
  - Provide framework of public notification/participation

- 45CSR13 Permitting Process: What it does not do:
  - Take into consideration any other important but non-air quality benefits/impacts such as jobs, property values, traffic, zoning, national energy issues, economics of project, infrastructure, archeology, or public support (or lack thereof) etc.
  - Require or prohibit the location of facilities in any particular area.
  - Address non-air quality environmental impacts (e.g. water).
Summary of DAQ Review

- AWP Application (R13-3595) Submitted: January 5, 2023
- Application Submitted as a minor source (45CSR13)
- AWP Legal Advertisement: January 18, 2023
- DAQ Public Advertisement: April 5, 2023
  - Preliminary Review Complete: Draft Permit/Fact Sheet Available
  - Preliminary Determination
  - 30-Day Comment Period
  - Comments/Public Meeting Request Received
- Comment period was extended until 5:00 on May 12, 2023
AWP Project Overview

- Hardy County Facility: Log Fumigation Facility

- Logs are fumigated inside a building using Methyl Bromide
  - Logs can be fumigated either under tarps or inside shipping containers
  - US Dept of Agriculture regulates how the fumigation must be performed.
    - Type and amount of fumigant required, fumigation time, etc.

- Detailed information in the permit application and engineering evaluation/fact sheet
AWP Plant Location
Current and Past Fumigation Sites

- Currently AWP is permitted to operate one facility.
  - Located off of Harness Road in Moorefield.
    - Permit R13-3473 issued 09/19/2019
      - Operated under temporary permit R13-3388T briefly before that.
Current and Past Fumigation Sites

- AWP previously operated a facility at the Moorefield Industrial Park.
  - Permit R13-3393 issued October 26, 2018
    - Company ceased fumigating sometime before November 2022 and requested permit be rescinded in February 2023.
Applicable Air Quality Rules

- **WV Legislative Rules**
  - 45CSR13: Minor Source Permitting Rule
    - Applies because AWP will emit more than 2 pounds per hour and 5 tons per year of a HAP (Methyl Bromide).

- **Federal Air Quality Regulations**
  - None
Methyl Bromide (CH$_3$Br)

- Used as a pesticide since 1932
- Used to treat commodities (grapes, asparagus, etc) that are imported to the US.
- **Used as a fumigant for domestically sourced logs prior to export.**
- High vapor pressure (1.9 atm at 68°F), therefore it dissipates quickly.
Methyl Bromide (CH$_3$Br)

- Banned for MOST uses under the “Montreal Protocol”
  - International agreement aimed at protecting the ozone layer. Signed in 1987. Multiple amendments since.
  - Banned many substances, most notably CFC’s (chemicals used in air conditioners, refrigerators and as a propellant in hairspray).
Due to Montreal Protocol, in 1992 USEPA banned use of Methyl Bromide but with 3 exemptions:

- Emergency use
- Short term “critical” uses
- Quarantine Pre Shipment (QPS)
Methyl Bromide (CH$_3$Br)

**Neighboring states**

- **Maryland**
  - COMAR 26.11.15.05 – Requires Best Available Control Technology (BACT)
  - COMAR 26.11.15.06 – Sets ambient limits

- **North Carolina**
  - 15A NCAC 02D.1104 – Sets ambient limits
    - Computer modeling required to show compliance with said ambient limits

- **Virginia**
  - 9 VAC Chapter 60, Article 5 – Requires permitting for facilities emitting more than 1.254 lbs/hr AND 2.755 tons per year of Methyl Bromide.
    - Permits typically require 300’ distance from fumigation activity to property boundary
    - Permits typically require 1ppm concentration (8 hour average) at fenceline.
Engineering Evaluation/Fact Sheet

- Rationale document for Preliminary Determination.

Draft Permit

- Includes operating restrictions, emission limitations and monitoring, recordkeeping and reporting requirements.
- Enforces the potential-to-emit (PTE) upon which we based our Preliminary Determination to approve.
Engineering Evaluation/Fact Sheet

- Administrative information.
- Description of proposed facility/emission units.
- Discussion of emission calculations.
- Quantifies proposed emissions per pollutant.
- Applicability and compliance with federal regulations and state air quality rules.
Draft Permit

- Facility-wide requirements

- Specific unit requirements:
  - Limitations and standards
    - Production Capacities
      - Limits total Methyl Bromide used to 9.55 tons on a rolling 12 month basis.
    - Operating Requirements
      - Limits total storage at any given time to 900 pounds
  - Monitoring requirements
    - Requires ambient monitors near the property line.
      - Operations must cease if monitors exceed 1ppm.
  - Recordkeeping/Reporting requirements
    - Readings from the ambient monitors are recorded and must be made available to DAQ inspectors.
What Happens Next?

- Comment period scheduled to conclude at 5:00 pm on Friday, May 12, 2023.

- Prior to a final determination, the DAQ will evaluate and respond to timely comments that are relevant to air quality issues.

- DAQ will make a Final Determination pursuant to the requirements §45-13-5.7.

- Final Determination will be available in same locations as Engineering Evaluation/Fact Sheet and Draft Permit.

- Important to note: NO FINAL DECISION HAS BEEN MADE
  - A DRAFT permit has been developed and posted for public review. The company is NOT permitted to construct and operate until a final decision has been made, and a final permit issued.
AWP is proposing to build a log fumigation facility in Hardy County.

DAQ has made a preliminary determination that the proposed construction is properly defined as a minor source and will meet all applicable state rules and federal air quality regulations.

Engineering Evaluation/Fact Sheet and Draft Permit have been available for review since publication of the legal advertisement (April 5, 2023).

DAQ will continue to accept public comments until 5:00 pm on Friday, May 12, 2023.

DAQ will evaluate and respond to all timely public air quality-related comments.

DAQ will make a final determination on this permitting action and make this determination and any related documents available at that time.
Contact Information

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https://dep.wv.gov/daq/permitting/Pages/NSR-Permit-Applications.aspx