Ad Number 156613

### Affidavit of Legal Publication and Posting

### STATE OF WEST VIRGINIA

**COUNTY OF Kanawha, TO-WIT** 

I Elisha Queen, Classified Advertising

Representative of the The Charleston Gazette-Mail, a newspaper published in the county of Kanawha, West Virginia, hereby certify that the annexed publication was inserted in said newspaper The Charleston Gazette-Mail.

The cost of publishing said annexed advertisement

as aforesaid was \$ 107.20

Commencing On: 07/25/2023

Ending On: 07/25/2023

Given under my hand this day 07/25/2023

Sworn to and subscribed before me 07/25/2023 at Charleston, Kanawha County, West Virginia

Notary Public of, in and for Kanawha County, West Virginia

MY COMMISSION EXPIRES: January.

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
LEE ANN WELCH
190 Rotary Road, Huntington, WV 26705
My Commission Expires January 03, 2028



### DEP to Hold Public Meeting and Extend Public Period

The West Virginia De-partment of Environmental Protection's Division of Air Quality (DAQ) will hold a public meeting on Thursday, August 3, 2023 at WVDEP's Kanawha City headquarters in Charleston, WV, to pro-vide information and receive comments regard-ing Optima Belle, LLC's air quality permit appli-cation. Optima Belle, LLC has proposed to add to the site proposed equipment and a new proposed chemical Additionally, process. the application identifies equipment that needs to be removed from the permit as it is no longer operable and has been removed from the site. With the new equipment, Optima will return to full operational status and will be able to process the list of materials from which the potential to emit from the site is based. There is also a requested increase in the potential to emit for the new chemical proc-ess which adds new hazardous air pollutants to the permit. The facility is located at 901 W. DuPont Avenue, Belle, Kanawha County, West Virginia, at 38.240118 latitude and 81.549648 longitude.

The DAQ will hold the public meeting at 6:00 p.m. on Thursday, August 3, 2023 at WVDEP's Kanawha City Headquarters, in the Cooper's Rock Room (rear of the building). The address is: 601 57th Street SE, Charles ton, WV 25304. The public is welcome to provide written and/or oral comments on air quality issues relevant to the draft permit prior to the end of the public comment period. DAQ staff members will be available to provide a presentation aind answer questions before taking comments from the pub lic. The public comment period has been exten ded to 5pm, Friday, August 11, 2023.

To pre-register for the public meeting, please complete the preregistration form at: htt ps://forms.gle/kYEd 427v7RhBHXTf9. A confirmation email will Acc.ld: 69164

AIR QUALITY--WV Name:

DEP

Phone: 304-926-0499

Address: 601 57TH ST SE

City: CHARLESTON

WV State: Postcode: 25304

Legal Class: 9010 Notices

Edition: **CGM** 

07/25/2023 Start: 07/25/2023 Stop:

Issues: 1

160.0 Units

Order ID: HC 156613 TFN:

C

TFN cycle:

Rep: **EQUEEN** 

Status: CF Source: **EM** Paytype: BI

Rate: LG

Cost EXC

107.20 GST:

Tax: 0.00 Total Charge: 107.20

Printed on: 07/20/2023 12:25:17

Printed by: EQUEEN

pe sant when you preregister to attend the meeting. If you do not have internet access and want to pre-register for the meeting, please contact Nicole Ernest at (304) 926-0499 x41256. Oral comments provided at the public meeting are limited to five (5) minutes.

The purpose of the DAQ's permitting process is to make a preliminary determination of if the proposed permit will meet all state and federal requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at the public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

#### Written comments must be received by 5:00 p.m. on Friday, August 11, 2023:

- Email written comments to Jonathan. W. Carney @wv.gov with "Optima Belle, LLC Comments" in the subject line, or
- Mail hard copy comments to Jonathan Carney, WV Department of Environmental Protection, Division of Air Quality, 601 57th Street, SE, Charleston, WV 25304.

Instructions for downloading additional information, including copies of the draft permit, application, and all other supporting materials relevant to the permit decision is available at: https://dep.wv.gov/daq /permitting/Pages/NSR -Permit-Applications. aspx.

LC-156613 07-25;2023 Legal Notices Legal Notices Legal Notices Legal Notices INVITATION TO BID

6-Viper VN18WD pick-up machines

1-Advance 56105616
FM810XP floor machine

Advance 56104012 SC1500R floor scrub-ber, wet batteries charg-er, pad holder

LC-156486 07-25:2023 1 - A d v a n c e
 56601895X 2805R
Rev. 28-in. rider scrubber INVITATION TO BID

The Cabell County School District is seeking bids on the following gravel/rock materials: 1. #57 - clean

Rev scrubber

Bids are to be submitted to Greg Webb, Director of the State of Ground State of Greg Webb by email: gtwebb@k12.w.us or phone (304) 544-1674.

The Board reserves the

LC156457 07-20,25,27/ 08-01;2023

REQUEST FOR PROPOSALS FOR A UTILITY ACCOUNTANT

ACCOUNTANT
The Town of Glasgow
is accepting Statements of Qualifications from a qualified persons or firms to provide accounting services for their Santany, Board of firms must, submit acception of the santany, Board of firms must, submit accepting the santany, Board of firms, accepting the santany, Board of firms, accepting the santany, Board of firms, Board of firms, accepting the santany, Board of firms, Board o

Experience must include:

Background with Infrastructure projects.

ment Council

The Town of Glasgow will afford full opportunity to minority business enterprises to submit a show of interest in research will not discriminate against any firms or individual on the grounds of race, creed, color, sex, age, handicap or national origin.

The Honorable Donald Fannin, Mayor

LC-155930 07-18,25;2023

PUBLIC NOTICE PUBLIC NOTCE

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public recover! Thomas

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LC-156724 07-25/08-01 .08.15:2023

NOTICE OF PUBLIC HEARING The Board of Zoning Appeals of the City of Charleston. West Virginia, will hold a public hearing at 8:30 a.m., Thursday, August 24, 2023, in the City Service Center Confer-ence Room at 915 Quarrier Street on the following:

CUP-23-0237: Applica-tion of Linwood Hamilton requesting a conditional use permit in order to operate a firearm sales establishment on the property located at 403 Pennsylvania Avenue.

The Authority reserves the right to reject any and all Proposals submitted, and to waive any or all formalities in bidding, as it may dem in its best interest.

The Authority strongly encourages Minority Owned and Women Owned businesses to submit proposals for this contract.

2.) Ability to provide a cost-of-service study (Rule 42)

PUBLIC HEARING
The Municipal
Planning Commission
of the City of Charleshold a public hearing at
3:00 pm., Wednesday,
August 9; 20:23, on the
following:
Bill Mo. 7999 A bill
providing for the annexation into the City of
Charleston of territory
along Presidential Drive.

Annexation:
Bill No. 8000 A bill providing for the annexation into the City of Charleston of territory along Stonehenge Rd.

along Stonenenge no.

Text Amendment:
Bill No. 8002 A bill to amend the Zoning Ordinance of the City of Charleston, as amended, by allowing Fire-arms Sales Establishments' as a conditional use in the C-8 Village Commercial District.

Rezoning: Bill No. 8003 - A Bill amending the Zoning Ordinance of the City of Charleston, West Virgin-ia. eracted the 1st day

HOLR NAMED WILL BE CONSIDERED RECOURS as amended, sed the map before the control of the control of the Purchasis and the precious for the Purchasis of the Purc

BRIDGE DECK REPLACEMENT

disp. August 14th, 2023.

Hand-delivered, sealed but will be received by the sealed but will be received by the sealed but will be received by the sealed but will be relumed 2:00 p.m. and 2:00 p.m.

read aloud st 2:00 p.m.

A mandatory, prebid meeting will be held at the existing building on Friday, July 28th, 2023 at 1:00 p.m. All general contractors bidding the project are required to athered the meeting to familiarize themselves with the project location, site conditions and other relevant information.

CONTRACT BDR-1-24 & BDR-2-24

WEST VIRGINIA.

The BBR-1-24 &
BDR-2-24 &
DBR-2-24 &
EDR-2-24 &
ED Pursuant to Chapter 21-Article 11 of the West Virginia Contrac-tor Licensing Act of 1991, all Contractors doing business in West Virginia must be li-censed to perform work

PAPER BID SUBMISSIONS WILL IN NOT BE SUBMISSIONS WILL IN NOT BE ACCEPTED AND ALL BIDS MUST BE SUBMITTED BECFRONI-CALES WAS BED EXCEPTED AND ALL BIDS MUST BE SUBMITTED BECFRONI-CICK the blue Register button at the top follow the required steps. Please call (888)-382-439 or small support with any questions regarding Bid Express.

FAYETTE COUNTY, WEST VIRGINIA

Legal Notices

If of January 2006, as a control of the control of

September 7, 2023, at 10:00 a.m.,

Legal Notices Legal Notices

VALUABLE REAL ESTATE

The undersigned Special Commissioner, by wither of the authority vesting of the authority of Ramawha, West Virgina, that certain Order Granting of Real State, entreed on May 36 Court of Kanawha, West Virgina, and that certain Supplemental Order on the Authority set forth in the authority set forth door to the highest forth of the authority of Kanawha; in Charleston, West Virgina, on September 7, 2023,

the following described lot, tract or parcel of land, together with the improvements thereon and the appurtenances thereunto belonging:

8. The Special Comm

John R. Bsharah, as Special Commissioner 300 Summers St., Ste. 700 Charleston, WV 25301

sioner makes no repre-sentations and warran-ties about the title of the real estate to be conveyed.

Given under my hand this 24th day of July, 2023.

COURSE COURSE OF THE PROPERTY WARRANT WARRATT WARRANT WARRATT WARRANT WARRANT WARRANT WARRANT WARRANT

Written comments must be received by 5:00 p.m. on Friday, August 11, 2023:

Code § 11-22-2.

4. The Special Commissioner reserves the right to adjourn the sale for a time or from time to time without further nobce by announcement the time and place of the sale described above for any adjournment thereof. ment thereof. 

5. The real property will be sold in "ab 15" condition. The Special commissioner will have no duty to cause any therand or person occupying the real property WZ 504.

Email written
 c o m m e n t s t o
 Jonathan W. Carney
 Øw.gov with "Optima
 Belle, LLC Comments' in
 the subject line, or

LC-156613 07-25:2023



August 8, 2023

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

Re: Optima Belle, LLC Comments [Permit Number 13-2093I]

Jonathan Carney,

Thank you for the opportunity to comment on the air quality permit application of Optima Belle, LLC located at 901 W. DuPont Avenue in Belle in Kanawha County. The West Virginia Rivers Coalition (WV Rivers) is the only statewide organization focused on promoting the overall health of West Virginia's waters and their downstream benefits. At the forefront of environmental policy discussions in West Virginia, we are motivated by the preservation and improvement of water quality through programs focused on water, public lands, and climate change. We provide the following comments to the WV Department of Environmental Protection (WVDEP) to raise concern of air quality issues within the proposal of Optima, LLC to add a new proposed chemical process, to allow the facility to return to full operational status, and to authorize the requested new chemical process which adds new hazardous air pollutants to the permit.

On December 8, 2020, an explosion at this Optima facility in Belle killed one worker and caused \$33 million in damage. In the final report issued by federal safety regulators on this fatal explosion, it was found that Optima utilized a chemical compound drying process that was incorrect resulting in a dangerous reaction when overheated and recommended improved safety management processes and systems. Moreover, reports suggest that the contractor, Clearon, responsible for performing the drying process, did not properly communicate industry guidance to Optima and that regulations were insufficient to address the hazardous reaction potential.

WV Rivers is concerned by this facility's request to increase their potential to emit new hazardous air pollutants. Optima must prove over time that safety management processes have consistently and considerably been improved. Additionally, new regulations need to be established to sufficiently address the potential for reactive hazards, as recommended by federal safety regulators and experts, before any related permit is considered. These concerns suggest that Optima should not be permitted to increase their potential to emit nor return to full operational status within the current permit proposal.

<sup>&</sup>lt;sup>1</sup> https://www.csb.gov/assets/1/6/optima\_report\_for\_publication.pdf

<sup>&</sup>lt;sup>2</sup> https://wvpublic.org/safety-agency-issues-final-report-on-fatal-2020-optima-belle-explosion/



WV Rivers appreciates the extension of the public comment by WVDEP to increase the opportunity for members of the public to provide input on air quality issues, but worries that a single public hearing is insufficient in order to receive representative feedback from potentially impacted communities. Due to this and the previously mentioned air quality concerns of increased emissions by Optima Belle, LLC, WV Rivers urges WVDEP to reject this air quality permit application. Thank you for your consideration.

Sincerely,

Angie Rosser Executive Director WV Rivers Coalition



## **Optima Belle, LLC Comments**

1 message

### Morgan King <mking@wvrivers.org>

Tue, Aug 8, 2023 at 10:59 AM

To: "jonathan.w.carney@wv.gov" <Jonathan.W.Carney@wv.gov>

Cc: Autumn Crowe <acrowe@wvrivers.org>

Good morning,

Attached to this email are comments regarding Optima Belle, LLC's air quality permit application on behalf of the West Virginia Rivers Coalition. Thank you for your consideration.

Best,
Morgan King
Morgan King
Climate Campaign Coordinator
West Virginia Rivers Coalition
Pronouns: she/her
304-590-0014
WVRivers.org | Sign up for E-news





# Fwd: Optima-Belle permit to increase operations with hazardous chemicals

1 message

Fletcher, Terry A <terry.a.fletcher@wv.gov>

Tue, Aug 8, 2023 at 10:58 AM

FYI - Optima Belle comment.

Thanks,

Terry



### **Terry Fletcher**

Chief Communications Officer
West Virginia Department of Environmental Protection
601 57th St. SE, Charleston, WV 25304
304-926-0499 | www.dep.wv.gov

----- Forwarded message -----

From: Terry A Fletcher <terry.a.fletcher@wv.gov>

Date: Tue, Aug 8, 2023 at 10:57 AM

Subject: Fwd: Optima-Belle permit to increase operations with hazardous chemicals

To: Terry A Fletcher <terry.a.fletcher@wv.gov>

----- Forwarded message ------

From: Kimberly Horton <a href="mailto:kimberly.horton503@gmail.com">kimberly.horton503@gmail.com</a>

Date: Friday, August 4, 2023 at 12:54:32 PM UTC-4

Subject: Optima-Belle permit to increase operations with hazardous chemicals

To: DEP.Comments@wv.gov <DEP.Comments@wv.gov>

Good afternoon,

When the explosion happened in 2020 there was no warning, alarm or information for hours. How can families in the surrounding communities live safely or feel good about this permit? Even if they are in compliance, how can another situation like this be avoided in the future? It seems unfair to the communities to grant this permit without improving the safety standards and community emergency plans. I pray for us all that SOMEONE considers this.



## **Optima Belle, LLC Comments**

1 message

Fielding Moss <mosswvu@icloud.com> To: Jonathan.W.Carney@wv.gov

Wed, Aug 2, 2023 at 2:33 PM

Quoting an article from the WV Gazette Andrew Brown Jan 30, 2016 Updated Nov 21, 2017

Doug Cochran, Optima's vice president of business development, "But unlike other companies DEP has worked with in the past, Cochran said Optima may present different challenges for the environmental regulators".

With Optima's business model requiring the manufacturer to switch from one chemical to another more often than a company like DuPont or Chemours, he said it may require DEP to speed up its approval processes for the various chemical compounds that will need to be permitted. "They are used to companies that move slower, that produce one type of chemical for years or decades," he said. "We're a little different animal than what they are used to."

My question is can the WVDEP keep up with the demands of Optima? Also is Optima trying to get to market too soon and putting peoples lives in danger?

Thanks, Fielding Moss

Sent from my iPhone



## **Optima Belle, LLC Comments**

1 message

**Lauren Deardorff** <deardorff2021@gmail.com>
To: Jonathan.W.Carney@wv.gov

Fri, Jul 28, 2023 at 4:53 PM

Dear Mr. Jonathan Carney,

I hope this email finds you well. I am writing as a concerned resident of the town of Belle regarding the recent permit modification request submitted by Optima Belle, LLC. The proposed addition of new hazardous air pollutants, equipment, and processes at its facility located at 901 W. Dupont Ave. has raised significant concerns among the local community.

After thorough examination and consideration of the potential consequences, I am compelled to express my strong disapproval of the permit modification. The release of cancerous pollutants into the air could have severe and lasting health implications for the residents of our town. As a responsible member of the DEP's Division of Air Quality, it is crucial to prioritize the well-being and safety of communities above all else.

I urge you to take into account the adverse effects this modification may have on the health of our town's inhabitants and reconsider the approval of this permit. It is our shared responsibility to safeguard the environment and protect the health of those who call the town of Belle their home.

Please consider the potential long-term repercussions and explore alternative solutions that promote cleaner and safer practices for Optima Belle, LLC. I am confident that with your expertise and dedication, we can find a more sustainable path forward.

Thank you for your attention to this matter. I trust that you will carefully weigh the concerns of the community and make a decision that puts the health and welfare of Belle's residents first.

Sincerely,

Lauren Deardorff



## **Optima Belle, LLC Comments**

1 message

**Dana Deardorff** <deardorff10@gmail.com>
To: Jonathan.W.Carney@wv.gov

Fri, Jul 28, 2023 at 4:24 PM

Dear Mr. Carney,

I hope this email finds you well. I am writing as a concerned resident of the town of Belle regarding the recent permit modification request submitted by Optima Belle, LLC. The proposed addition of new hazardous air pollutants, equipment, and processes at its facility located at 901 W. Dupont Ave. has raised significant concerns among the local community.

After thorough examination and consideration of the potential consequences, I am compelled to express my strong disapproval of the permit modification. The release of cancerous pollutants into the air could have severe and lasting health implications for the residents of our town. As a responsible member of the DEP's Division of Air Quality, it is crucial to prioritize the well-being and safety of communities above all else.

I urge you to take into account the adverse effects this modification may have on the health of our town's inhabitants and reconsider the approval of this permit. It is our shared responsibility to safeguard the environment and protect the health of those who call the town Belle their home.

Please consider the potential long-term repercussions and explore alternative solutions that promote cleaner and safer practices for Optima Belle, LLC. I am confident that with your expertise and dedication, we can find a more sustainable path forward.

Thank you for your attention to this matter. I trust that you will carefully weigh the concerns of the community and make a decision that puts the health and welfare of Belle's residents first.

Sincerely,

Dana Deardorff