

rates were 18.3 lb/hr and 0.015 gr/dscf, which are less than 50 % of the 4.1.4 hourly particulate matter emission limit of 40 lb/hr and the 4.1.17 40 C.F.R. 60, Subpart Y limit of 0.031gr/dscf. Therefore, subsequent stack testing for the Thermal Dryer (045A/045C) must be conducted on or before October 21, 2026.

The current parameter indicator ranges are as follows:

- a. Temperature of the gas stream at the exit of the Thermal Dryer: 120 - 220 °F.
- b. Pressure loss through the venturi constriction of the Scrubber: 26 – 40 inches of H₂O.
- c. Water supply pressure to the Scrubber: 15 - 25 psi.

[45CSR§5-12.1; 45CSR16; 40 C.F.R. §60.257(b); 45CSR§30-5.1.c]

- 4.3.11. To demonstrate compliance with the emission limits of 4.1.4 for the Thermal Dryer (045A/045C), the permittee shall conduct performance test(s) for SO₂, NO_x, VOC, and CO at least once every 5 years. Testing shall be conducted in accordance with 3.3.1.

[45CSR§30-5.1.c; 45CSR§5-12.2; 45CSR§§10-8.1.a-1 and 8.1.b2]

4.4. Recordkeeping Requirements

- 4.4.1. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0 of this permit, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

[45CSR13, R13-0760, 4.4.2]

- 4.4.2. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0 of this permit, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

- a. The equipment involved.
- b. Steps taken to minimize emissions during the event.
- c. The duration of the event.
- d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

- e. The cause of the malfunction.
- f. Steps taken to correct the malfunction.
- g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

[45CSR13, R13-0760, 4.4.3]

- 4.4.3. The permittee shall maintain records of all monitoring data required by Section 4.2.5 of this permit by documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The permittee shall also record the general weather conditions (i.e. sunny, approximately 80 °F, 6-10 mph NE wind) during the visual emission check(s). An example form is supplied as Appendix B. Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note “out of service” (O/S) or equivalent.
[45CSR13, R13-0760, 4.4.4]
- 4.4.4. The temperature of the gas stream at the exit of the thermal dryer shall be continuously recorded on a chart recorder and manually recorded at least once every 12 hours. Records shall be maintained in accordance with 3.4.1. In addition to records of the gas stream temperature, the permittee shall document and maintain records of all periods when the temperature falls outside the range specified in 4.2.6.(1)(i) and any corrective actions taken during these periods. Maintenance and malfunction records for the thermal dryer and venturi scrubber shall be maintained in accordance with 4.4.1 and 4.4.2.
[45CSR§30-5.1.c; 40 C.F.R. §64.9(b)] (045A/045C)
- 4.4.5. The pressure loss through the venturi constriction of the scrubber shall be continuously recorded on a chart recorder and manually recorded at least once every 12 hours. Records shall be maintained in accordance with 3.4.1. In addition to records of the pressure loss, the permittee shall document and maintain records of all periods when the pressure loss through the venturi constriction of the scrubber falls outside the range specified in 4.2.6.(1)(ii)(A) and any corrective actions taken during these periods. Maintenance and malfunction records for the venturi scrubber shall be maintained in accordance with 4.4.1 and 4.4.2.
[45CSR§30-5.1.c; 40 C.F.R. §64.9(b)] (045A/045C)
- 4.4.6. The water supply pressure to the scrubber shall be continuously recorded on a chart recorder and manually recorded at least once every 12 hours. Records shall be maintained in accordance with 3.4.1. In addition to records of the water supply pressure to the scrubber, the permittee shall document and maintain records of all periods when the water supply pressure falls outside the range specified in 4.2.6.(1)(ii)(B) and any corrective actions taken during these periods. Maintenance and malfunction records for the venturi scrubber shall be maintained in accordance with 4.4.1 and 4.4.2.
[45CSR§30-5.1.c; 40 C.F.R. §64.9(b)] (045A/045C)
- 4.4.7. The pH of the scrubber inlet water and effluent water shall be continuously recorded on a chart recorder and manually recorded at least once every 12 hours. Records shall be maintained in accordance with 3.4.1. In addition to records of the pH of the scrubber inlet water and effluent water, the permittee shall document and maintain records of all periods when the pH of the scrubber inlet water and effluent water falls outside the range established in 4.2.4 and any corrective actions taken during these periods. Maintenance and malfunction records for the venturi scrubber shall be maintained in accordance with 4.4.1 and 4.4.2
[45CSR§30-5.1.c; 40 C.F.R. §64.9(b)] (045A/045C)
- 4.4.8. For Compliance Assurance Monitoring (CAM), the owner or operator shall comply with the recordkeeping requirements of permit conditions 3.4.1 and 3.4.2. The owner or operator shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to 40 C.F.R. §64.8 and any activities undertaken to implement a quality improvement

plan, and other supporting information required to be maintained under 40 C.F.R. 64 (such as data used to document the adequacy of monitoring, or records of monitoring, maintenance, or corrective actions).

[45CSR§30-5.1.c; 40 C.F.R. §64.9(b)] (045A/045C)

- 4.4.9. The permittee shall maintain a record of all monitoring data used to prepare the quarterly “Monitoring Summary, Excursion and Monitoring Plan Performance Report” required under Condition 4.5.10. Such records shall be maintained in accordance with 4.4.1 and 4.4.2.

[45CSR§10-8.3.a1]

- 4.4.10. The permittee shall inspect all fugitive dust control systems weekly to ensure that they are operated and maintained in conformance with their designs. The permittee shall maintain records of such inspections and of all scheduled and non-scheduled maintenance. Records shall be maintained stating any maintenance or corrective actions taken as a result of the weekly inspections, and the times the fugitive dust control system(s) are inoperable and any corrective actions taken.

[45CSR§30-5.1.c]

- 4.4.11. The permittee shall maintain records indicating the use of any dust suppressants or any other suitable dust control measures applied at the facility.

[45CSR§30-5.1.c]

4.5. Reporting Requirements

- 4.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observation using 40 C.F.R. 60, Appendix A, Method 9 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

[45CSR13, R13-0760, 4.5.1]

- 4.5.2. Any violation(s) of the allowable SO₂ requirements in Section 4.1.4 of this permit and recorded in Appendix A must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the testing, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

[45CSR13, R13-0760, 4.5.2]

- 4.5.3. With regard to any testing required by the Director, the permittee shall submit to the Director of Air Quality and the Section Chief - Enforcement and Compliance Assurance Division Air Section (3ED21) of the U.S. EPA, Region III a test protocol detailing the proposed test methods, the date, and the time the proposed testing is to take place, as well as identifying the sampling locations and other relevant information. The test protocol must be received by the Director and the Section Chief no less than thirty (30) days prior to the date the testing is to take place. Test results shall be submitted to the Director and the Section Chief no more than sixty (60) days after the date the testing takes place.

[45CSR13, R13-0760, 4.5.3]

- 4.5.4. **Notification and Record Keeping.** Any owner or operator subject to the provisions of this part shall furnish written notification as follows: **[40CFR§60.7(a)]**

- a. A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. [40CFR§60.7(a)(1)]
- b. A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date. [40CFR§60.7(a)(3)]

[45CSR13, R13-0760, 4.5.4, 45CSR16]

- 4.5.5. The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following: [40CFR§60.258(a)]

- a. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted. [40CFR§60.258(a)(2)]
- b. The amount and type of coal processed each calendar month. [40CFR§60.258(a)(3)]
- c. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.
[40CFR§60.258(a)(6)]

[45CSR13, R13-0760, 4.5.5, 45CSR16] (002, 006, 008, 057, 058, 059, 017, 044, 031, 031A, 018, 018A, 038B, 032, 021, 023, 027A, 025, 033, 027, 052, 003A)

- 4.5.6. For the purpose of reports required under section 60.7(c), any owner operator subject to the provisions of this subpart also shall report semiannually periods of excess emissions as follow: [40CFR§60.258(b)]

- a. All 6-minute average opacities that exceed the applicable standard. [40CFR§60.258(b)(3)]

[45CSR13, R13-0760, 4.5.6, 45CSR16] (002, 006, 008, 057, 058, 059, 017, 044, 031, 031A, 018, 018A, 038B, 032, 021, 023, 027A, 025, 033, 027, 052, 003A)

- 4.5.7. **Reporting for Subpart Y - Results of Initial Performance Tests.** The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

[40CFR§60.258(c), 45CSR16, 45CSR13, R13-0760, 4.5.7]

- 4.5.8. **Reporting for Subpart Y - WebFIRE Data Base.** After July 11, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test date to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at

<http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (i.e. Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code D243-01; RTP, NC 27711.

[40CFR§60.258(d), 45CSR16, 45CSR13, R13-0760, 4.5.8]

- 4.5.9. For CAM, monitoring reports shall be submitted to the director and at a minimum shall include and be in accordance with information in permit conditions 3.5.6 and 3.5.8, as applicable. Also, at a minimum, the following information, as applicable, shall be included:
- a. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
 - b. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
 - c. A description of the actions taken to implement a QIP during the reporting period as specified in 40 C.F.R. §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 C.F.R. §64.9(a); 45CSR§30-5.1.c] (045A/045C)

- 4.5.10. On a quarterly basis, the permittee shall prepare and submit a report titled “Monitoring Summary, Excursion and Monitoring Plan Performance Report” detailing the status of compliance with the 2,000 ppmv sulfur dioxide emission limit in Condition 4.1.23. The report shall provide the volumetric flow rate of the thermal dryer’s exhaust fan (SCFM), the hours of operation of the thermal dryer (hours/month), the total coal burned (tons/month and tons/hour), the percent sulfur in the coal (%S as determined by Condition 4.2.2), calculated SO₂ emissions (lb/hr and ppmv), shall state whether the source was in compliance with the 2,000 ppmv limit for the month, and shall indicate any excursions which occurred during each month.

[45CSR§30-5.1.c; 45CSR§10-8.3.b]

4.6. Compliance Plan

- 4.6.1. None.

Appendix A

Certified Daily and Monthly Amount of Coal, Coal Bed Methane, Natural Gas and Propane Burned in the Thermal Dryer

Month: _____ Year: _____

Day of Month	Coal			Coal Bed Methane		Natural Gas		Propane		Initials
	tons	hours	% sulfur content	scf	hours	Scf	hours	gallons	hours	
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
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26										
27										
28										
29										
30										
31										
Monthly Total			XXXXXX							
12 Month Rolling Total ²			XXXXXX							

- 1 The CERTIFICATION OF DATA ACCURACY statement appearing on the reverse side shall be completed within fifteen (15) days of the end of the reporting period. All records shall be kept on site for a period of no less than five (5) years and shall be made available to the Secretary or his or her duly authorized representative upon request.
- 2 The 12 Month Rolling Total shall mean, for example, the sum of coal burned by the thermal dryer at any given time during the previous twelve (12) consecutive calendar months. The maximum permitted 12 Month Rolling Totals are as follows: Coal - 26,100 tons; Coal Bed Methane - 1,139 x 10⁶ scf; Natural Gas - 1,139 x 10⁶ scf; and Propane - 4.38 x 10⁶ gallons.

Appendix B Weekly Opacity Record

Marion County Coal Resources, Inc.
Marion County Mine Preparation Plant
Company ID No. 049-00019
Permit No. R13-0760J

Date of Observation:

Data Entered by:

Reviewed by:

Date Reviewed:

Describe the General Weather Conditions:

Stack ID/Vent ID/ Emission Point ID	Stack/Vent/Emission Point Description	Time of Observation	Visible Emissions? Yes/No	Consecutive Weeks of Visual Emissions	Comments

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature¹

(please use blue ink)

Responsible Official or Authorized Representative

Date

Name and Title

(please print or type)

Name

Title

Telephone No. _____

Fax No. _____

¹ This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

- a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
 - (i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), or
 - (ii) the delegation of authority to such representative is approved in advance by the Director;
- b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;
- c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or
- d. The designated representative delegated with such authority and approved in advance by the Director.

*West Virginia Department of Environmental Protection
Division of Air Quality*

Fact Sheet



***For Draft/Proposed Renewal Permitting Action Under 45CSR30 and
Title V of the Clean Air Act***

Permit Number: **R30-04900019-2025**

Application Received: **August 29, 2024**

Plant Identification Number: **03-54-04900019**

Permittee: **Marion County Coal Resources, Inc.**

Facility Name: **Marion County Mine Preparation Plant**

Mailing Address: **1 Bridge Street, Monongah, WV 26554**

Physical Location:	Fairview, Marion County, West Virginia
UTM Coordinates:	561.6 km Easting • 4,383.9 km Northing • Zone 17
Directions:	Approximately 1-mile NW of Fairview on State Route 17. Turn left on Sugar Run Road.

Facility Description

~~The~~ Marion County Coal ~~Company's Resources's (MCCC)~~ Marion County Mine Preparation Plant consists of a coal mining operation and a wet wash coal preparation plant with a thermal dryer.

Emissions Summary

Plantwide Emissions Summary [Tons per Year]		
Regulated Pollutants	Potential Emissions	2024 Actual Emissions
Carbon Monoxide (CO)	172.8	128.2
Nitrogen Oxides (NO _x)	190.8	156.0
Lead (Pb)	< 0.01	not reported
Particulate Matter (PM _{2.5})	137.9	28.96
Particulate Matter (PM ₁₀)	231.8	69.32
Total Particulate Matter (TSP)	456.4	149.03
Sulfur Dioxide (SO ₂)	586.0	312.0
Volatile Organic Compounds (VOC)	594.0	366.7
<i>PM₁₀ is a component of TSP.</i>		
Hazardous Air Pollutants	Potential Emissions	2024 Actual Emissions
Total HAPs	6.9	1.91

Some of the above HAPs may be counted as PM or VOCs.

Title V Program Applicability Basis

This facility has the potential to emit 172.8 tons per year of CO, 190.8 tons per year of NO_x, 231.8 tons per year of PM₁₀, 586.0 tons per year of SO₂, and 594.0 tons per year of VOC. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, ~~The Marion County Coal Company-Resources, 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.

This facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR5	Control of Particulate Emissions from Coal Preparation Plants, Coal Handling Operations and Coal Refuse Disposal Areas
	45CSR6	Open burning prohibited.
	45CSR10	Sulfur dioxide limits.
	45CSR11	Standby plans for emergency episodes.
	45CSR13	Preconstruction permits for minor sources.
	45CSR16	Emission Standards for New Stationary Sources Pursuant to 40 C.F.R. Part 60.
	WV Code § 22-5-4 (a) (4415)	The Secretary can request any pertinent information such as annual emission inventory reporting.
	45CSR30	Operating permit requirement.

	40 C.F.R. 60, Subpart Y	New Source Performance Standards for Coal Preparation Plants
	40 C.F.R. Part 61	Asbestos inspection and removal
	40 C.F.R. Part 82, Subpart F	Ozone depleting substances
State Only:	45CSR4	No objectionable odors.

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>
R13-0760J	March 1, 2021	
CO-R30-E-2019-2	March 11, 2019	

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 is the facility's fourth Title V renewal permit. There were no changes to the existing emission units and control devices or to the approved compliance assurance monitoring (CAM) plans. Therefore, there were no changes to CAM applicability or the existing CAM plans.

This renewal permit also addresses minor modification R30-04900019-2020 MM02. Minor modification MM02 proposed to remove permit condition 4.2.6., which contains the source specific continuous monitoring requirements for a thermal dryer established in NSPS Subpart Y - Standards of Performance for Coal Preparation and Processing Plants in Subsection §60.256. Subpart Y specifies the measurement of the temperature of the gas stream at the exit of the thermal dryer, pressure loss through the venturi constriction of the control equipment and the water supply pressure to the control equipment on a continuous basis. These conditions were further defined with normal operating ranges of 120 – 220°F for the temperature of the gas stream, 26 - 40" H₂O for the pressure drop and 15 - 25 psi for the water supply pressure, which were defined in the CAM plan during the first renewal of the Title V permit in 2008 to facilitate that the unit would remain within its permitted PM emission limits. The company also proposed to remove permit conditions 4.4.4. through 4.4.6., which required the facility to continuously record the temperature, pressure loss and water supply pressure. The company proposed to replace the removed monitoring and record keeping requirements NSPS Subpart Y with those established in NSPS Subpart A – General Provisions. None of these proposed changes were incorporated into the renewal permit.

The following changes have occurred since the most recent Title V permit was issued:

Title V Permit Boilerplate changes:

- **Condition 2.1.3.** – This condition was updated to delete the word “such” which was removed from 45CSR30 effective March 31, 2023. The citation was changed from “45CSR§30-2.12” to “45CSR§30-2.39” because the definition of “Secretary” was renumbered from a previous version of 45CSR30.
- **Condition 2.11.4** – The citation was changed from “45CSR§30-2.39” to “45CSR§30-2.40” because it was renumbered from a previous version of 45CSR30.
- **Conditions 2.17., 3.5.7. and 3.5.8.a.1.** – These conditions were deleted and replaced with “Reserved” because the emergency provisions under 45CSR§30-5.7 were removed from 45CSR30 effective March 31, 2023.
- **Condition 2.22.1** – “45CSR38” was removed from the citation because this rule has been repealed.
- **Conditions 3.1.6. and 3.3.1.** – The citation was revised to refer to the current version of the WV Code.
- **Condition 3.3.1.b.** – This condition was updated to include the following additional language: “If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit shall be revised in accordance with 45CSR§30-6.4 or 45CSR§30-6.5 as applicable.”
- **Condition 3.5.3.** – This condition was updated to include the current EPA mailing address.
- **Condition 3.5.4.** – This condition was updated because the requirement to submit a certified emissions statement was removed from 45CSR30 effective March 31, 2023.
- **Condition 3.5.8.a.2.** – This condition was updated to replace the word “telefax” with “email” according to the change in 45CSR30 effective March 31, 2023.

Updated Stack Testing Information

- **Condition 4.3.10.** – In the note for the Test table, the previous testing dates and results from October 20-21, 2021 were entered and the deadline for the next test was entered as October 21, 2026.

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: (Date of Notice Publication)

Ending Date: (Publication Date PLUS 30 Days)

Point of Contact

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

Dan Roberts
West Virginia Department of Environmental Protection
Division of Air Quality
601 57th Street SE
Charleston, WV 25304
304/926-0499 ext. 41902
Daniel.p.roberts@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.



Roberts, Daniel P <daniel.p.roberts@wv.gov>

Draft/Proposed for Marion County Coal Resources, Inc.'s Marion County Mine Preparation Plant - R30-04900019-2025 renewal

1 message

Roberts, Daniel P <daniel.p.roberts@wv.gov>
To: Carrie McCumbers <Carrie.McCumbers@wv.gov>

Thu, Jun 26, 2025 at 6:10 PM

Carrie,

Hey. I have attached the draft proposed permit, fact sheet and notice for the above referenced facility for your review.

Let me know if you have any questions or need any additional information.

Thanks,
Dan

3 attachments



concurrent notice R30-04900019-2025.docx
18K



DPPermit R30-04900019-2025 6-26-25.docx
314K



DPFactSheet R30-04900019-2025 6-26-25.docx
89K



Roberts, Daniel P <daniel.p.roberts@wv.gov>

WV DAQ Title V Permit Renewal Application Complete for The Marion County Coal Company's Marion County Preparation Plant

1 message

Roberts, Daniel P <daniel.p.roberts@wv.gov>

Mon, Oct 28, 2024 at 5:25 PM

To: rburns@acnrinc.com

Cc: "Mike Burr <mburr@trinityconsultants.com>" <mburr@trinityconsultants.com>, "McCumbers, Carrie" <Carrie.McCumbers@wv.gov>

RE: Application Status: Complete

The Marion County Coal Company

Marion County Preparation Plant

Permit Renewal Application R30-04900019-2025

Mr. Burns,

Your Title V renewal application for a permit to operate the above referenced facility was received by this Division on August 29, 2024. After review of said application, it has been determined that the application is administratively complete as submitted. Therefore, the above referenced facility qualifies for an Application Shield.

The applicant has the duty to supplement or correct the application. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. In addition, an applicant shall provide additional information as necessary to address any requirements that become applicable to the source after the date it filed a complete application but prior to release of a draft permit.

The submittal of a complete application shall not affect the requirement that any source have all **preconstruction permits** required under the rules of the Division.

If during the processing of this application it is determined that additional information is necessary to evaluate or take final action on this application, a request for such information will be made in writing with a reasonable deadline for a response. Until which time as your renewal permit is issued or denied, please continue to operate this facility in accordance with 45CSR30, section 6.3.c. which states: *If the Secretary fails to take final action to deny or approve a timely and complete permit application before the end of the term of the previous permit, the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time.* This protection shall cease to apply if, subsequent to the completeness determination made pursuant to paragraph 6.1.d. of 45CSR30 and as required by paragraph 4.1.b., the applicant fails to submit by the deadline specified in writing any additional information identified as being needed to process the application.

Please remember, **failure of the applicant to timely submit information required or requested to process the application may cause the Application Shield to be revoked.** Should you have any questions regarding this determination, please call me at (304)926-0499 ext. 41902.

Sincerely,

Daniel P. Roberts
WV Department of Environmental Protection
Division of Air Quality
(304) 926-0499 ext. 41902
Daniel.p.roberts@wv.gov



Roberts, Daniel P <daniel.p.roberts@wv.gov>

**WV DAQ Title V Permit Application Status for The Marion County Coal Company;
Marion County**

1 message

Mink, Stephanie R <stephanie.r.mink@wv.gov>

Tue, Sep 3, 2024 at 8:56 AM

To: rburns@acnrinc.com, mburr@trinityconsultants.com

Cc: Carrie McCumbers <carrie.mccumbers@wv.gov>, Daniel P Roberts <daniel.p.roberts@wv.gov>

RE: Application Status**The Marion County Coal Company****Marion County****Facility ID No. 049-00019****Application No. R30-049-00019-2024**

Dear Mr. Burns,

Your application for a Title V Permit Renewal for The Marion County Coal Company's Marion County facility was received by this Division on August 29, 2024, and was assigned to Dan Roberts.

Should you have any questions, please contact the assigned permit writer, Dan Roberts, at 304-926-0499, extension 41902, or Daniel.P.Roberts@wv.gov.

Stephanie Mink

Environmental Resources Associate

West Virginia Department of Environmental Protection

Division of Air Quality, Title V & NSR Permitting

[601 57th](#) Street SE

Charleston, WV 25304

Phone: 304-926-0499 x41281