

West Virginia Department of Environmental Protection

Harold D. Ward

Cabinet Secretary

# Permit to Operate



Pursuant to

**Title V**

of the Clean Air Act

*Issued to:*

**Crown Cork & Seal USA, Inc.**

**Weirton, WV**

**R30-00900014-2022**

*Laura M. Crowder*

*Laura M. Crowder*

*Director, Division of Air Quality*

*Issued: November 29, 2022 • Effective: December 13, 2022*  
*Expiration: November 29, 2027 • Renewal Application Due: May 29, 2027*

Permit Number: **R30-00900014-2022**  
Permittee: **Crown Cork & Seal USA, Inc.**  
Facility Name: **Weirton Plant**  
Permittee Mailing Address: **3011 Birch Drive, Weirton, WV 26062**

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*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45CSR30 — Requirements for Operating Permits. The permittee identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

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Facility Location:	Weirton, Brooke County, West Virginia
Facility Mailing Address:	3011 Birch Drive, Weirton, WV 26062
Telephone Number:	(304) 748-6800
Type of Business Entity:	Corporation
Facility Description:	The raw metal that will eventually leave the facility in the form of decorative sheets arrives on flatbed trucks in a single, continuous coil. The continuous coil is unloaded by forklifts and moved to the plate shearing area. The Littell Coil Shearing Machine cuts and stacks the metal into individual sheets. The sheets are then moved by forklifts to the plain metal storage area until the desired coating and printing process begins.
SIC Codes:	3466 Primary; N/A Secondary; N/A Tertiary
UTM Coordinates:	532.19 km Easting • 4470.82 km Northing • Zone 17

Permit Writer: Sarah Barron

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*Issuance of this Title V Operating Permit does not supersede or invalidate any existing permits under 45CSR13, 14 or 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V Operating Permit.*

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**Table of Contents**

**1.0. Emission Units and Active R13, R14, and R19 Permits..... 3**

**2.0. General Conditions..... 5**

**3.0. Facility-Wide Requirements and Permit Shield .....14**

**Source-specific Requirements**

**4.0. Coater Lines, Ovens, and Presses .....22**

**5.0. Thermal Oxidizers.....25**

## 1.0 Emission Units and Active R13, R14, and R19 Permits

### 1.1 Emission Units

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device
<b>Coaters</b>					
C-1A	TO-1	Roll Coater Line 1A (Wagner Trailing Varnisher)	1983	80 sheets/min	TO-1
C-1B	TO-1	Roll Coater Line 1B (Wagner Trailing Varnisher)	1983	80 sheets/min	TO-1
C-2A	TO-1	Roll Coater Line 2A (Wagner)	1983	85 sheets/min	TO-1
C-2B	TO-1	Roll Coater Line 2B (Wagner)	1983	85 sheets/min	TO-1
C-3	TO-1	Roll Coater Line 3 (Wagner)	1973	100 sheets/min	TO-1
C-4	TO-1	Roll Coater Line 4 (Wagner Trailing Varnisher)	1950	75 sheets/min	TO-1
C-6	TO-2	Roll Coater Line 6 (Wagner)	2005	100 sheets/min	TO-2
<b>Ovens</b>					
O-1A	TO-1	Oven Line 1A	1983	4.05 MMBTU/hr	TO-1
O-1B	TO-1	Oven Line 1B	1983	4.05 MMBTU/hr	TO-1
O-2A	TO-1	Oven Line 2A	1983	4.05 MMBTU/hr	TO-1
O-2B	TO-1	Oven Line 2B	1983	4.05 MMBTU/hr	TO-1
O-3	TO-1	Oven Line 3	1973	8.1 MMBTU/hr	TO-1
O-4	TO-1	Oven Line 4	1950	5.4 MMBTU/hr	TO-1
O-6	TO-2	Oven Line 6 – Heat from Integrated TO-2	2005	0	TO-2
<b>Presses</b>					
P-1A	TO-1	1-Color Hoe Press	1992	80 sheets/min	TO-1
P-3	TO-1	1-Color Hoe Press	2010	70 sheets/min	TO-1
P-4	TO-1	2-Color “Y” Hoe Press	1974	75 sheets/min	TO-1
<b>Control Devices</b>					
TO-1	TO-1	Adwest Thermal Oxidizer	2006	8.0 MMBTU/hr	N/A
TO-2	TO-2	LTG Eco TNV Integrated Oxidizer	2011	5.6 MMBTU/hr	N/A

## 1.2. Active R13, R14, and R19 Permits

The underlying authority for any conditions from R13, R14, and/or R19 permits contained in this operating permit is cited using the original permit number (e.g. R13-1234). The current applicable version of such permit(s) is listed below.

Permit Number	Date of Issuance
R13-2067D	October 03, 2022

## 2.0 General Conditions

### 2.1 Definitions

- 2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.
- 2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.
- 2.1.4. Unless otherwise specified in a permit condition or underlying rule or regulation, all references to a "rolling yearly total" shall mean the sum of the monthly data, values or parameters being measured, monitored, or recorded, at any given time for the previous twelve (12) consecutive calendar months.

### 2.2 Acronyms

<b>CAAA</b>	Clean Air Act Amendments	<b>NSPS</b>	New Source Performance Standards
<b>CBI</b>	Confidential Business Information	<b>PM</b>	Particulate Matter
<b>CEM</b>	Continuous Emission Monitor	<b>PM<sub>10</sub></b>	Particulate Matter less than 10µm in diameter
<b>CES</b>	Certified Emission Statement	<b>pph</b>	Pounds per Hour
<b>C.F.R. or CFR</b>	Code of Federal Regulations	<b>ppm</b>	Parts per Million
<b>CO</b>	Carbon Monoxide	<b>PSD</b>	Prevention of Significant Deterioration
<b>C.S.R. or CSR</b>	Codes of State Rules	<b>psi</b>	Pounds per Square Inch
<b>DAQ</b>	Division of Air Quality	<b>SIC</b>	Standard Industrial Classification
<b>DEP</b>	Department of Environmental Protection	<b>SIP</b>	State Implementation Plan
<b>FOIA</b>	Freedom of Information Act	<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>HAP</b>	Hazardous Air Pollutant	<b>TAP</b>	Toxic Air Pollutant
<b>HON</b>	Hazardous Organic NESHAP	<b>TPY</b>	Tons per Year
<b>HP</b>	Horsepower	<b>TRS</b>	Total Reduced Sulfur
<b>lbs/hr or lb/hr</b>	Pounds per Hour	<b>TSP</b>	Total Suspended Particulate
<b>LDAR</b>	Leak Detection and Repair	<b>USEPA</b>	United States Environmental Protection Agency
<b>m</b>	Thousand	<b>UTM</b>	Universal Transverse Mercator
<b>MACT</b>	Maximum Achievable Control Technology	<b>VEE</b>	Visual Emissions Evaluation
<b>mm</b>	Million	<b>VOC</b>	Volatile Organic Compounds
<b>mmBtu/hr</b>	Million British Thermal Units per Hour		
<b>mmft<sup>3</sup>/hr or mmcf/hr</b>	Million Cubic Feet Burned per Hour		
<b>NA or N/A</b>	Not Applicable		
<b>NAAQS</b>	National Ambient Air Quality Standards		
<b>NESHAPS</b>	National Emissions Standards for Hazardous Air Pollutants		
<b>NO<sub>x</sub></b>	Nitrogen Oxides		

### **2.3. Permit Expiration and Renewal**

- 2.3.1. Permit duration. This permit is issued for a fixed term of five (5) years and shall expire on the date specified on the cover of this permit, except as provided in 45CSR§30-6.3.b. and 45CSR§30-6.3.c.  
**[45CSR§30-5.1.b.]**
- 2.3.2. A permit renewal application is timely if it is submitted at least six (6) months prior to the date of permit expiration.  
**[45CSR§30-4.1.a.3.]**
- 2.3.3. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with 45CSR§30-6.2. and 45CSR§30-4.1.a.3.  
**[45CSR§30-6.3.b.]**
- 2.3.4. 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.  
**[45CSR§30-6.3.c.]**

### **2.4. Permit Actions**

- 2.4.1. This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
**[45CSR§30-5.1.f.3.]**

### **2.5. Reopening for Cause**

- 2.5.1. This permit shall be reopened and revised under any of the following circumstances:
- a. Additional applicable requirements under the Clean Air Act or the Secretary's legislative rules become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 45CSR§§30-6.6.a.1.A. or B.
  - b. Additional requirements (including excess emissions requirements) become applicable to an affected source under Title IV of the Clean Air Act (Acid Deposition Control) or other legislative rules of the Secretary. Upon approval by U.S. EPA, excess emissions offset plans shall be incorporated into the permit.
  - c. The Secretary or U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - d. The Secretary or U.S. EPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.  
**[45CSR§30-6.6.a.]**

## **2.6. Administrative Permit Amendments**

- 2.6.1. The permittee may request an administrative permit amendment as defined in and according to the procedures specified in 45CSR§30-6.4.  
**[45CSR§30-6.4.]**

## **2.7. Minor Permit Modifications**

- 2.7.1. The permittee may request a minor permit modification as defined in and according to the procedures specified in 45CSR§30-6.5.a.  
**[45CSR§30-6.5.a.]**

## **2.8. Significant Permit Modification**

- 2.8.1. The permittee may request a significant permit modification, in accordance with 45CSR§30-6.5.b., for permit modifications that do not qualify for minor permit modifications or as administrative amendments.  
**[45CSR§30-6.5.b.]**

## **2.9. Emissions Trading**

- 2.9.1. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.  
**[45CSR§30-5.1.h.]**

## **2.10. Off-Permit Changes**

- 2.10.1. Except as provided below, a facility may make any change in its operations or emissions that is not addressed nor prohibited in its permit and which is not considered to be construction nor modification under any rule promulgated by the Secretary without obtaining an amendment or modification of its permit. Such changes shall be subject to the following requirements and restrictions:
- a. The change must meet all applicable requirements and may not violate any existing permit term or condition.
  - b. The permittee must provide a written notice of the change to the Secretary and to U.S. EPA within two (2) business days following the date of the change. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
  - c. The change shall not qualify for the permit shield.
  - d. The permittee shall keep records describing all changes made at the source that result in emissions of regulated air pollutants, but not otherwise regulated under the permit, and the emissions resulting from those changes.
  - e. No permittee may make any change subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control) pursuant to the provisions of 45CSR§30-5.9.



- f. No permittee may make any changes which would require preconstruction review under any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) pursuant to the provisions of 45CSR§30-5.9.

**[45CSR§30-5.9.]**

## **2.11. Operational Flexibility**

- 2.11.1. The permittee may make changes within the facility as provided by § 502(b)(10) of the Clean Air Act. Such operational flexibility shall be provided in the permit in conformance with the permit application and applicable requirements. No such changes shall be a modification under any rule or any provision of Title I of the Clean Air Act (including 45CSR14 and 45CSR19) promulgated by the Secretary in accordance with Title I of the Clean Air Act and the change shall not result in a level of emissions exceeding the emissions allowable under the permit.

**[45CSR§30-5.8]**

- 2.11.2. Before making a change under 45CSR§30-5.8., the permittee shall provide advance written notice to the Secretary and to U.S. EPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter maintain a copy of the notice with the permit, and the Secretary shall place a copy with the permit in the public file. The written notice shall be provided to the Secretary and U.S. EPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Secretary and U.S. EPA as soon as possible after learning of the need to make the change.

**[45CSR§30-5.8.a.]**

- 2.11.3. The permit shield shall not apply to changes made under 45CSR§30-5.8., except those provided for in 45CSR§30-5.8.d. However, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the change, provided that the permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The permit shield may be reinstated for emissions and operations affected by the change:

- a. If subsequent changes cause the facility's operations and emissions to revert to those authorized in the permit and the permittee resumes compliance with the terms and conditions of the permit, or
- b. If the permittee obtains final approval of a significant modification to the permit to incorporate the change in the permit.

**[45CSR§30-5.8.c.]**

- 2.11.4. "Section 502(b)(10) changes" are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

**[45CSR§30-2.40]**

## **2.12. Reasonably Anticipated Operating Scenarios**

- 2.12.1. The following are terms and conditions for reasonably anticipated operating scenarios identified in this permit.
- a. Contemporaneously with making a change from one operating scenario to another, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of this permit and 45CSR30.
  - b. The permit shield shall extend to all terms and conditions under each such operating scenario; and
  - c. The terms and conditions of each such alternative scenario shall meet all applicable requirements and the requirements of 45CSR30.

[45CSR§30-5.1.i.]

## **2.13. Duty to Comply**

- 2.13.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[45CSR§30-5.1.f.1.]

## **2.14. Inspection and Entry**

- 2.14.1. The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:
- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

[45CSR§30-5.3.b.]

## **2.15. Schedule of Compliance**

- 2.15.1. For sources subject to a compliance schedule, certified progress reports shall be submitted consistent with the applicable schedule of compliance set forth in this permit and 45CSR§30-4.3.h., but at least every six (6) months, and no greater than once a month, and shall include the following:
- a. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - b. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

**[45CSR§30-5.3.d.]**

## **2.16. Need to Halt or Reduce Activity not a Defense**

- 2.16.1. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

**[45CSR§30-5.1.f.2.]**

## **2.17. Emergency**

- 2.17.1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

**[45CSR§30-5.7.a.]**

- 2.17.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of 45CSR§30-5.7.c. are met.

**[45CSR§30-5.7.b.]**

- 2.17.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. The permitted facility was at the time being properly operated;
- c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- d. Subject to the requirements of 45CSR§30-5.1.c.3.C.1, the permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice, report, and variance request fulfills the requirement of 45CSR§30-5.1.c.3.B. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

**[45CSR§30-5.7.c.]**

- 2.17.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

**[45CSR§30-5.7.d.]**

- 2.17.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**[45CSR§30-5.7.e.]**

## **2.18. Federally-Enforceable Requirements**

- 2.18.1. All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Secretary, USEPA, and citizens under the Clean Air Act.

**[45CSR§30-5.2.a.]**

- 2.18.2. Those provisions specifically designated in the permit as "State-enforceable only" shall become "Federally-enforceable" requirements upon SIP approval by the USEPA.

## **2.19. Duty to Provide Information**

- 2.19.1. The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

**[45CSR§30-5.1.f.5.]**

## **2.20. Duty to Supplement and Correct Information**

- 2.20.1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

**[45CSR§30-4.2.]**

## **2.21. Permit Shield**

2.21.1. Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance provided that such applicable requirements are included and are specifically identified in this permit or the Secretary has determined that other requirements specifically identified are not applicable to the source and this permit includes such a determination or a concise summary thereof.

[45CSR§30-5.6.a.]

2.21.2. Nothing in this permit shall alter or affect the following:

- a. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance; or
- b. The applicable requirements of the Code of West Virginia and Title IV of the Clean Air Act (Acid Deposition Control), consistent with § 408 (a) of the Clean Air Act.
- c. The authority of the Administrator of U.S. EPA to require information under § 114 of the Clean Air Act or to issue emergency orders under § 303 of the Clean Air Act.

[45CSR§30-5.6.c.]

## **2.22. Credible Evidence**

2.22.1. Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee including but not limited to any challenge to the credible evidence rule in the context of any future proceeding.

[45CSR§30-5.3.e.3.B.]

## **2.23. Severability**

2.23.1. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

[45CSR§30-5.1.e.]

## **2.24. Property Rights**

2.24.1. This permit does not convey any property rights of any sort or any exclusive privilege.

[45CSR§30-5.1.f.4]

## **2.25. Acid Deposition Control**

2.25.1. Emissions shall not exceed any allowances that the source lawfully holds under Title IV of the Clean Air Act (Acid Deposition Control) or rules of the Secretary promulgated thereunder.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid deposition control program, provided that such increases do not require a permit revision under any other applicable requirement.

- b. No limit shall be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in rules promulgated under Title IV of the Clean Air Act.

**[45CSR§30-5.1.d.]**

- 2.25.2. Where applicable requirements of the Clean Air Act are more stringent than any applicable requirement of regulations promulgated under Title IV of the Clean Air Act (Acid Deposition Control), both provisions shall be incorporated into the permit and shall be enforceable by the Secretary and U. S. EPA.

**[45CSR§30-5.1.a.2.]**

### 3.0 Facility-Wide Requirements

#### 3.1 Limitations and Standards

- 3.1.1. **Open burning.** The open burning of refuse by any person is prohibited except as noted in 45CSR§6-3.1. [45CSR§6-3.1.]
- 3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause or allow any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible. [45CSR§6-3.2.]
- 3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them. [40 C.F.R. §61.145(b) and 45CSR34]
- 3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. [45CSR§4-3.1. State-Enforceable only.]
- 3.1.5. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11. [45CSR§11-5.2.]
- 3.1.6. **Emission inventory.** The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Division of Air Quality. [W.Va. Code § 22-5-4(a)(14)]
- 3.1.7. **Ozone-depleting substances.** For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 C.F.R. §§ 82.154 and 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 C.F.R. § 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 C.F.R. § 82.161. [40 C.F.R. 82, Subpart F]

- 3.1.8. **Risk Management Plan.** Should this stationary source, as defined in 40 C.F.R. § 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 C.F.R. § 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 C.F.R. Part 70 or 71.

**[40 C.F.R. 68]**

- 3.1.9. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-2067 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to.

**[45CSR13, R13-2067, 2.5.1.]**

- 3.1.10. Facility-wide emissions to the atmosphere of Hazardous Air Pollutants (HAPs), with the exception of Formaldehyde (Section 3.1.11), shall not exceed 9.4 tons per year of any single HAP or 24.4 tons per year of any combination of HAPs (Formaldehyde is included in the single and combination of HAP emissions). Compliance with the annual emission limits shall be determined using rolling yearly totals. A rolling yearly total shall mean the sum of the emissions at any given time for the previous twelve (12) consecutive months. The following HAPs were identified as potential material constituents of the surface coatings/thinners utilized by the facility:

Hazardous Air Pollutants (HAPs)	CAS Number
Ethylbenzene	100-41-4
Isophorone	78-59-1
Methyl Isobutyl Ketone	108-10-1
Toluene	108-88-3
Xylene (mixed isomers)	1330-20-7
Formaldehyde	50-00-0
Naphthalene	91-20-3
Phenol	108-95-2

Use of any surface coating/thinner containing any constituent identified in Section 112(b) of the 1990 Clean Air Act Amendments as a HAP and not listed above shall be in accordance with the following:

- a. The permittee shall notify the Director in writing of the surface coating/thinner to be used and the HAP(s) contained therein within thirty (30) days of the use of the surface coating/thinner. Additionally, an MSDS Sheet for the surface coating/thinner shall be supplied at this time to the Director.
- b. The use of the surface coating/thinner shall be incorporated into the recordkeeping requirements.
- c. The use of any surface coating/thinner containing any air pollutant listed in Table 45-13A of 45CSR13, that results in an increase in TAP emissions over the threshold described in 45CSR13, Section 2.17.c. or 2.17.d., is prohibited prior to receiving a modification to this permit for the use of the specified surface coating/thinner.

These records shall be maintained on-site for a period of five (5) years and certified records shall be made available to the Director of the Division of Air Quality or his/her duly authorized representative upon request.

**[45CSR13, R13-2067, 4.1.7.]**



3.1.11. The facility-wide emission rate of the following Toxic Air Pollutant (TAP) shall not exceed the following:

Toxic Air Pollutants (TAPs)	CAS Number	Maximum Limit (Pounds/year)
Formaldehyde	50-00-0	1,000

Compliance with the annual emission limits shall be determined using rolling yearly totals. A rolling yearly total shall mean the sum of the emissions at any given time for the previous twelve (12) consecutive months.

Use of any surface coating containing any toxic air pollutant (TAP) as defined by West Virginia Legislative Rule 45CSR27, Section 2.10., other than Formaldehyde shall be in accordance with the following:

- a. The permittee shall notify the Director in writing of the surface coating to be used and the TAP(s) contained therein within thirty (30) days of the use of the surface coating. Additionally, an MSDS sheet for the surface coating shall be supplied at this time to the Director.
- b. The use of the surface coating shall be incorporated into the record keeping requirements contained herein.
- c. The emission rate of the TAP(s) contained within the surface coating shall not equal or exceed, on a per-TAP basis, the annual limits contained in 45CSR27, Table A. Compliance with the annual emission limits shall be determined using rolling yearly totals.

[45CSR13, R13-2067, 4.1.8.]

## 3.2. Monitoring Requirements

3.2.1. None.

## 3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

- a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63, if applicable, in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable.
- b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test

methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit.

- c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.
- d. The permittee shall submit a report of the results of the stack test within 60 days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:
  1. The permit or rule evaluated, with the citation number and language.
  2. The result of the test for each permit or rule condition.
  3. A statement of compliance or non-compliance with each permit or rule condition.

[WV Code §§ 22-5-4(a)(14-15) and 45CSR13]

### 3.4. Recordkeeping Requirements

- 3.4.1. **Monitoring information.** The permittee shall keep records of monitoring information that include the following:
  - a. The date, place as defined in this permit and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of the analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.

[45CSR§30-5.1.c.2.A. and 45CSR13, R13-2067, 4.4.1]

- 3.4.2. **Retention of records.** The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record creation date. Support information includes all calibration and maintenance records

and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

**[45CSR§30-5.1.c.2.B.]**

- 3.4.3. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken. Such record shall be maintained onsite five (5) years from the record creation date, containing an assessment of the validity of the complaints as well as any corrective actions taken.

**[45CSR§30-5.1.c.; 45CSR13, R13-2067, 4.4.4.; State-Enforceable only.]**

### 3.5. Reporting Requirements

- 3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**[45CSR§§30-4.4. and 5.1.c.3.D.]**

- 3.5.2. A permittee may request confidential treatment for the submission of reporting required under 45CSR§30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

**[45CSR§30-5.1.c.3.E.]**

- 3.5.3. Except for the electronic submittal of the annual compliance certification and semi-annual monitoring reports to the DAQ and USEPA as required in 3.5.5 and 3.5.6 below, all notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by e-mail as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

#### **DAQ:**

Director  
WVDEP  
Division of Air Quality  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304

#### **US EPA:**

Section Chief  
U. S. Environmental Protection Agency, Region III  
Enforcement and Compliance Assurance Division  
Air, RCRA, and Toxics Branch (3ED21)  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103-2852

#### **DAQ Compliance and Enforcement<sup>1</sup>:**

DEPAirQualityReports@wv.gov

<sup>1</sup>For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status reports, Initial Notifications, etc.

3.5.4. **Certified emissions statement.** The permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality.  
[45CSR§30-8.]

3.5.5. **Compliance certification.** The permittee shall certify compliance with the conditions of this permit on the forms provided by the DAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement of this permit. The annual certification shall be submitted to the DAQ and USEPA on or before March 15 of each year, and shall certify compliance for the period ending December 31. The permittee shall maintain a copy of the certification on site for five (5) years from submittal of the certification. The annual certification shall be submitted in electronic format by e-mail to the following addresses:

**DAQ:**  
DEPAirQualityReports@wv.gov

**US EPA:**  
R3\_APD\_Permits@epa.gov

[45CSR§30-5.3.e.]

3.5.6. **Semi-annual monitoring reports.** The permittee shall submit reports of any required monitoring on or before September 15 for the reporting period January 1 to June 30 and on or before March 15 for the reporting period July 1 to December 31. All instances of deviation from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with 45CSR§30-4.4. The semi-annual monitoring reports shall be submitted in electronic format by e-mail to the following address:

**DAQ:**  
DEPAirQualityReports@wv.gov

[45CSR§30-5.1.c.3.A.]

3.5.7. **Emergencies.** For reporting emergency situations, refer to Section 2.17. of this permit.

3.5.8. **Deviations.**

- a. In addition to monitoring reports required by this permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
  1. Any deviation resulting from an emergency or upset condition, as defined in 45CSR§30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with 45CSR§30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation.
  2. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Secretary immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, shall be submitted by the responsible official within ten (10) days of the deviation.

3. Deviations for which more frequent reporting is required under this permit shall be reported on the more frequent basis.
4. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken.

**[45CSR§30-5.1.c.3.C.]**

- b. The permittee shall, in the reporting of deviations from permit requirements, including those attributable to upset conditions as defined in this permit, report the probable cause of such deviations and any corrective actions or preventive measures taken in accordance with any rules of the Secretary.

**[45CSR§30-5.1.c.3.B.]**

- 3.5.9. **New applicable requirements.** If any applicable requirement is promulgated during the term of this permit, the permittee will meet such requirements on a timely basis, or in accordance with a more detailed schedule if required by the applicable requirement.

**[45CSR§30-4.3.h.1.B.]**

### **3.6. Compliance Plan**

- 3.6.1. None.

### **3.7. Permit Shield**

- 3.7.1. The permittee is hereby granted a permit shield in accordance with 45CSR§30-5.6. The permit shield applies provided the permittee operates in accordance with the information contained within this permit.

- 3.7.2. The following requirements specifically identified are not applicable to the source based on the determinations set forth below. The permit shield shall apply to the following requirements provided the conditions of the determinations are met.

- a. **45CSR10 – To Prevent and Control Air Pollution from the Emissions of Sulfur Oxides** – Since the oxidizers do not have the potential to emit 500 pounds per year of sulfur oxides, they are not subject to 45CSR§10-4 via 45CSR§10-4.1.e. The facility does not combust any refinery or process gas streams and it does not operate a coke production facility; therefore, it is not subject to 45CSR§10-5.
- b. **45CSR10A. – Testing, Monitoring, Recordkeeping, and Reporting Requirements Under 45CSR10** – Since oxidizers are manufacturing process sources with the PTE for SO<sub>2</sub> less than 500 lb/yr, the facility is not subject to 45CSR10A. via 45CSR§10A-3.1.c.
- c. **40 C.F.R. 60, Subpart TT – Standards of Performance for Metal Coil Surface Coating** – The subpart defines a metal coil surface coating operation as the application system used to apply an organic coating to the surface of any continuous metal strip with thickness of 0.15 millimeter or more that is packaged in a roll or coil. This facility cuts the metal coils prior to coating, and as such, is not subject to Subpart TT.
- d. **40 C.F.R. 63, Subpart KKKK – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans** – The Crown Cork & Seal USA’s Weirton Plant is a synthetic minor source for HAPs. This subpart applies only to major HAP sources.

- e. **40 C.F.R. 64** – *Compliance Assurance Monitoring (CAM)* – The coaters, ovens, and presses are subject to emission limitations for which the permit specifies a continuous compliance determination method in conditions 5.2.2. and 5.4.4.; therefore, they are exempt from the requirements of the CAM per 40 C.F.R. §64.2(b)(1)(vi).
  
- f. **40 C.F.R. 63, Subpart HHHHHH** – *National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Sources* – This subpart is not applicable to Weirton plant. The facility is a synthetic minor source (area source) of HAPs, but it does not conduct paint stripping, use MeCl, and does not use spray application. Coatings are applied by lithographic roll coating. Therefore, this regulation is not applicable in accordance with 40 C.F.R. §63.11170.
  
- g. **40 C.F.R. 63, Subpart JJJJJJ** – *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* – The facility is an area source of HAPs, however, any boilers and water heaters utilized at the site combust natural gas only and any industrial hot water heaters utilized at the site combust natural gas only and are under 120 U.S. gallons. Therefore, the units are not subject to Subpart JJJJJJ and to any of its requirements in accordance with 40 C.F.R. §§63.11195(e-f).

**4.0 Roll Coater Lines (C-1A, C-1B, C-2A, C-2B, C-3 and C-4), Wagner Sheet Coater Line 6 (C-6), Ovens (O-1A, O-1B, O-2A, O-2B, O-3, O-4, and O-6), and Presses (P-1A, P-3, P-4) [Emission Points: TO-1, TO-2]**

**4.1. Limitations and Standards**

- 4.1.1. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any process source operation which is greater than twenty (20) percent opacity, except as noted in 45CSR§§7-3.2, 3.3, 3.4, 3.5, 3.6, and 3.7.  
**[45CSR13, R13-2067, 4.1.5.; 45CSR§7-3.1.]**
- 4.1.2. The overall VOC emissions resulting from cleaning solvents and coatings at this facility shall not exceed 118 tons/yr. Compliance with the annual emission limit shall be determined using rolling yearly totals. A rolling yearly total shall mean the sum of the emissions at any given time for the previous twelve (12) consecutive months.  
**[45CSR13, R13-2067, 4.1.6.]**
- 4.1.3. The permittee shall maintain a 100% VOC capture efficiency for the Coating Line (C-6) enclosure. The enclosure shall be maintained and operated as a Permanent Total Enclosure (PTE) as evaluated against EPA Method 204. In accordance with the PTE verification, all access doors and windows must be closed at all times during the operation of the Coating Line (C-6) during operation of these lines.  
**[45CSR13, R13-2067, 4.1.11.]**
- 4.1.4. The permittee shall maintain a 100% VOC capture efficiency for the coating lines Roll Coater Line 1A (C-1A), Oven Line 1A (O-1A), Roll Coater Line 1B (C-1B), Oven Line 1B (O-1B), Roll Coater Line 2A (C-2A), Oven Line 2A (O-2A), Roll Coater Line 2B (C-2B), Oven Line 2B (O-2B), Roll Coater Line 3 (C-3), Oven Line 3 (O-3), Roll Coater Line 4 (C-4), Oven Line 4 (O-4) enclosure during operation of these lines. The enclosure shall be maintained and operated as a Permanent Total Enclosure (PTE) as evaluated against EPA Method 204. In accordance with the PTE verification, all access doors and windows must be closed at all times during the operation of the coating lines Roll Coater Line 1A (C-1A), Oven Line 1A (O-1A), Roll Coater Line 1B (C-1B), Oven Line 1B (O-1B), Roll Coater Line 2A (C-2A), Oven Line 2A (O-2A), Roll Coater Line 2B (C-2B), Oven Line 2B (O-2B), Roll Coater Line 3 (C-3), Oven Line 3 (O-3), Roll Coater Line 4 (C-4), Oven Line 4 (O-4).  
**[45CSR13, R13-2067, 4.1.12.]**
- 4.1.5. A routine program shall be established and performed to ensure minimization of fugitive emissions. The program shall include (but not be limited to) the following:
- a. Sponges or cloths that have been used for cleaning VOCs shall be stored in sealed containers for proper disposal;
  - b. Any spill of VOCs or materials containing VOCs shall be cleaned immediately;
  - c. All equipment shall be maintained according to manufacturers' instructions.
- [45CSR13, R13-2067, 4.1.15.]**
- 4.1.6. To the extent that design will allow, the interior and exterior of all ventilation systems in this facility will be visually inspected on a monthly basis by facility personnel. Accessible accumulations of dust, oil, etc., shall

be cleaned out upon detection. Visible leaks and cracks shall, with every reasonable effort, be repaired within a week of detection.

**[45CSR13, R13-2067, 4.1.16.]**

## **4.2. Monitoring Requirements**

- 4.2.1. At least weekly, visual emission checks of each emission point subject to an opacity limit, as stated in Section 4.1, of this permit shall be conducted. For the purpose of these checks, excess visible emissions are to include visible fugitive dust emissions that leave the plant site boundaries. These checks shall be conducted during periods of normal facility operation for a sufficient time interval (but no less than one (1) minute) to determine if the unit has visible emissions using procedures outlined in 40 C.F.R. 60, Appendix A, Method 22. If sources of visible emissions are identified during the survey, or at any other time, the permittee shall conduct a 40 C.F.R. 60, Appendix A, Method 9 evaluation within twenty-four (24) hours. A Method 9 evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions.

**[45CSR13, R13-2067, 4.2.1.; 45CSR§30-5.1.c.]**

## **4.3. Testing Requirements**

- 4.3.1. None.

## **4.4. Recordkeeping Requirements**

- 4.4.1. The permitted facility shall monitor and maintain records of the following:
- a. Maintenance activities associated with all the coating lines and drying ovens (C-1A, O-1A, C-1B, O-1B, C-2A, O-2A, C-2B, O-2B, C-3, O-3, C-4, O-4, C-6, O-6).
  - b. Monthly hours of operation of the coating lines and drying ovens (C-1A, O-1A, C-1B, O-1B, C-2A, O-2A, C-2B, O-2B, C-3, O-3, C-4, O-4, C-6, O-6).
  - c. Name and identification of each surface coating, as applied each month on each of the coating lines (C-1A, O-1A, C-1B, O-1B, C-2A, O-2A, C-2B, O-2B, C-3, O-3, C-4, O-4, C-6, O-6).
  - d. Monthly quantity applied of each coating or solvent material on all coating lines (C-1A, O-1A, C-1B, O-1B, C-2A, O-2A, C-2B, O-2B, C-3, O-3, C-4, O-4, C-6, O-6).
  - e. Mass of VOC, individual and aggregate HAPs and TAPs, and solids per volume of each surface coating and solvent material, as applied each month on all coating lines (C-1A, O-1A, C-1B, O-1B, C-2A, O-2A, C-2B, O-2B, C-3, O-3, C-4, O-4, C-6, O-6).
  - f. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

These records shall be maintained on-site for a period of five (5) years and certified records shall be made available to the Director of the Division of Air Quality or his/her duly authorized representative upon request.

**[45CSR13, R13-2067, 4.4.5., a, c, d, e, f, k]**



#### **4.5. Reporting Requirements**

4.5.1. None.

#### **4.6. Compliance Plan**

4.6.1. None.

## 5.0 Thermal Oxidizers TO-1 and TO-2 [Emission Points: TO-1 and TO-2]

### 5.1. Limitations and Standards

- 5.1.1. No person shall cause, suffer, allow, or permit particulate matter to be discharged from Thermal Oxidizer No. 1 and 2 into the open air in excess of 1.2 lb/hr and 0.46 lb/hr, respectively.  
**[45CSR13, R13-2067, 4.1.1., 45CSR§6-4.1.]**
- 5.1.2. No person shall cause, suffer, allow, or permit emission of smoke into the atmosphere from any incinerator which is twenty percent (20%) opacity or greater.  
**[45CSR13, R13-2067, 4.1.2.; 45CSR§6-4.3.]**
- 5.1.3. The provisions of Section 5.1.2. [45CSR§6-4.3.] shall not apply to smoke which is less than forty percent (40%) opacity, for a period or periods aggregating no more than eight (8) minutes per start-up, or six (6) minutes in any sixty (60)-minute period for stoking operations.  
**[45CSR13, R13-2067, 4.1.3.; 45CSR§6-4.4.]**
- 5.1.4. Incinerators, including all associated equipment and grounds, shall be designed, operated, and maintained so as to prevent the emission of objectionable odors.  
**[45CSR13, R13-2067, 4.1.4.; 45CSR§6-4.6.]**
- 5.1.5. Maximum emissions to the atmosphere from TO-2 shall not exceed the limits set forth in the following table:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	0.55	2.41
Carbon Monoxide	0.47	2.02
Particulate Matter – 10	0.05	0.19
Volatile Organic Compounds	1.93	8.33
Total HAPs	1.20	5.10

Compliance with the annual emission limits shall be determined using rolling yearly totals. A rolling yearly total shall mean the sum of the emissions at any given time for the previous twelve (12) consecutive months.

Compliance with 45CSR§6-4.1. (5.1.1.) will be shown by the more stringent requirements of Section 5.1.5.

**[45CSR13, R13-2067, 4.1.9]**

- 5.1.6. Maximum emissions to the atmosphere from TO-1 shall not exceed the limits set forth in the following table:

Pollutant	Maximum Hourly Emissions (lb/hr)	Maximum Annual Emissions (ton/year)
Nitrogen Oxides	3.780	16.556
Carbon Monoxide	3.175	13.907
Particulate Matter – 10	0.287	1.258
Volatile Organic Compounds	8.70	38.20
Total HAPs	2.51	11.00

Compliance with the annual emission limits shall be determined using rolling yearly totals. A rolling yearly total shall mean the sum of the emissions at any given time for the previous twelve (12) consecutive months.

Compliance with 45CSR§6-4.1. (5.1.1.) will be shown by the more stringent requirements of Section 5.1.6.

**[45CSR13, R13-2067, 4.1.10.]**

5.1.7. The permittee shall maintain a minimum VOC destruction efficiency of 98% for the Thermal Oxidizer (TO-2) during operation of Coating Line C-6.

**[45CSR13, R13-2067, 4.1.11.]**

5.1.8. The permittee shall maintain a minimum VOC destruction efficiency of 98% for the Thermal Oxidizer (TO-1) during operation of Roll Coater Lines C-1A through C-4 and Ovens O-1A through O-4.

**[45CSR13, R13-2067, 4.1.12.]**

5.1.9. The minimum combustion chamber temperature of the thermal oxidizer (TO-2) shall be maintained at 1,400°F or above the average temperature measured (1,352°F) during the most recent compliance stack test results.

**[45CSR13, R13-2067, 4.1.13.]**

5.1.10. The minimum combustion chamber temperature of the thermal oxidizer (TO-1) shall be maintained at 1,500°F.

**[45CSR13, R13-2067, 4.1.14.]**

5.1.11. No person shall cause, suffer, allow or permit the emission of particles of unburned or partially burned refuse or ash from any incinerator which are large enough to be individually distinguished in the open air.

**[45CSR§6-4.5.]**

5.1.12. Due to unavoidable malfunction of equipment, emissions exceeding those provided for in 45CSR6 may be permitted by the Director for periods not to exceed five (5) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the malfunction. In cases of major equipment failure, additional time periods may be granted by the Director provided a corrective program has been submitted by the owner or operator and approved by the Director.

**[45CSR§6-8.2.]**

5.1.13. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.

**[45CSR13, R13-2067, 4.1.17.]**

## **5.2. Monitoring Requirements**

5.2.1. For the purpose of determining compliance with the opacity limits of 45CSR6 in conditions 5.1.2. and 5.1.3., the permittee shall follow the requirements in condition 4.2.1.

**[45CSR§30-5.1.c.]**

- 5.2.2. The permittee shall install, calibrate, maintain, and continuously operate a device(s) to measure and record each of the pollution control devices' combustion chamber temperatures. All temperature records shall be retained on-site for a period of at least five (5) years and shall be made available to the Secretary or his duly authorized representative upon request. The devices for TO-1 and TO-2 shall be certified by the manufacturer to be accurate within plus or minus 1% in degrees Fahrenheit.  
[45CSR§30-5.1.c.; 45CSR13, R13-2067, 4.2.2.]

### 5.3. Testing Requirements

- 5.3.1. At such reasonable times as the Director may designate, the operator of any incinerator shall be required to conduct or have conducted stack tests to determine the particulate matter loading, by using 40 C.F.R. Part 60, Appendix A, Method 5 or other equivalent EPA approved method approved by the Director, in exhaust gases. Such tests shall be conducted in such manner as the Director may specify and be filed on forms and in a manner acceptable to the Director. The Director, or the Director's authorized representative, may at the Director's option witness or conduct such stack tests. Should the Director exercise his option to conduct such tests, the operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment such as scaffolding, railings, and ladders to comply with generally accepted good safety practices.  
[45CSR13, R13-2067, 4.3.1; 45CSR§6-7.1.]
- 5.3.2. The Director, or the Director's duly authorized representative, may conduct such other tests as the Director may deem necessary to evaluate air pollution emissions other than those noted above.  
[45CSR13, R13-2067, 4.3.2.; 45CSR§6-7.2.]

### 5.4. Recordkeeping Requirements

- 5.4.1. Refer to permit condition 5.2.2.
- 5.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.  
[45CSR13, R13-2067, 4.4.2.]
- 5.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, 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:
- The equipment involved.
  - Steps taken to minimize emissions during the event.
  - The duration of the event.
  - The estimated increase in emissions during the event.

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

- 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, R13-2067, 4.4.3.]**

5.4.4. The permitted facility shall monitor and maintain records of the following:

- a. Maintenance activities associated with the Thermal Oxidizers (TO-1, TO-2).
- b. Daily average combustion chamber temperature in Thermal Oxidizers (TO-1, TO-2).
- c. Monthly hours of operation of the Thermal Oxidizers (TO-1, TO-2).
- d. Actual pounds per month of VOC, individual and aggregate HAPs, TAPs, and PM emitted from the Thermal Oxidizers TO-1, TO-2. Pollutant capture and control efficiencies used in the compliance calculations shall be those minimum values as specified in Permit R13-2067B and R13-2067C or as determined.
- e. The VOC, individual and aggregate HAPs, TAPs, and PM emitted for the month shall be divided by the total number of hours the subject emission source was operated for the given month. The resulting monthly average shall be tabulated as pounds per hour in order to demonstrate compliance with the hourly limits established for the Thermal Oxidizers TO-1, TO-2.
- f. Monthly quantity of natural gas fuel consumed by the Thermal Oxidizers TO-1, TO-2.
- g. Hours of (TO-1, TO-2) down-time thermal oxidizers during each month as well as the reason for down-time.
- h. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer.

These records shall be maintained on-site for a period of five (5) years and certified records shall be made available to the Director of the Division of Air Quality or his/her duly authorized representative upon request.

**[45CSR13, R13-2067, 4.4.5., a, b, c, g, h, i, j, k]**

## **5.5. Reporting Requirements**

- 5.5.1. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40 C.F.R. Part 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.

**[45CSR§30-5.1.c.]**

## **5.6. Compliance Plan**

5.6.1. None.