



west virginia department of environmental protection

Division of Air Quality
601 57th Street
Charleston, WV 25304

Harold D. Ward, Cabinet Secretary
dep.wv.gov

August 12, 2022

GlyEco West Virginia, Inc.
P.O. Box 387
Institute, WV 25112

Certified Mail #: 9489 0090 0027 6402 5992 54

GlyEco West Virginia, Inc.
1620 1st Ave. S.
Building 180
Nitro, WV 25143

Certified Mail #: 9489 0090 0027 6402 5992 47

Corporate Creations Network Inc.
126 East Burke Street
Martinsburg, WV 25401

Certified Mail#: 9489 0090 0027 6402 5992 30

RE: **NOTICE OF INTENT TO REVOKE PERMIT**
GlyEco West Virginia, Inc.
Institute
ID: 039-00675

To Whom It May Concern:

GlyEco West Virginia, Inc. operates a glycol recovery plant located at Institute, WV, that is a stationary source of air pollution subject to WV Legislative Rule 45 CSR 30 (Rule 30), "Requirements for Operating Permits." Rule 30 requires the facility to submit certified emissions statements, pay Title V operating permit fees, and submit annual compliance certifications. Specifically, the facility is subject to the following:

- 1) West Virginia Legislative Rule 45 CSR 30, subsections 8.7.a and 8.7.c.:

Fees will be based upon a certified emissions statement from a responsible official. The certified emissions statement shall contain an accurate accounting of the actual emissions of all regulated air pollutants and all regulated pollutants (for fee calculation) from the source as defined in subsections 2.33 and 2.34 for the most recent calendar year. Fees and certified emission statements shall be due on July 1, 1994 and on July 1 of each year thereafter.

2) West Virginia Legislative Rule 45 CSR 30, subsection 8.1.b:

Title V operating permit fees. -- On July 1 of each year thereafter annual fees for all stationary sources requiring Title V operating permits shall be twenty-eight (28) dollars per ton subject to an adjustment enumerated in subdivision 8.1.c, for actual emissions of all regulated pollutants (for fee calculation) discharged during the most recent calendar year or portion thereof.

3) West Virginia Legislative Rule 45 CSR 30, subsections 5.1.c.3, 5.1.c.3.A and 5.1.c.3.B:

5.1.c.3. With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:

5.1.c.3.A. Submittal of reports of any required monitoring at least every six (6) months, but no more often than once per month. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with subsection 4.4. To the extent practicable, the schedule for submission of such reports shall be timed to coincide with other periodic reports required by the permit, including the permittees' compliance certifications.

5.1.c.3.B. Reporting of deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken in accordance with any rules of the West Virginia Department of Environmental Protection.

As of August 1st, 2022, the facility has not: 1) submitted a certified emissions statement for 2022, reporting calendar year 2021 emissions; 2) paid their Title V operating permit fees for 2022 which are a minimum of five thousand dollars (\$5,000); and 3) submitted an annual compliance certification for 2021.

Personnel from the Division of Air Quality (DAQ) have made multiple unsuccessful attempts via mail, email, and telephone to contact the responsible official associated with this facility to resolve these delinquencies so that permits R13-1127, R13-1215, and Title V permit R30-03900675-2017 may remain active and Title V permit renewal R30-03900675-2022 may be approved. Because this facility has not resolved these delinquencies, the **DAQ INTENDS TO REVOKE** all permits issued by the DAQ for this facility per West Virginia Code §22-5-5, which states:

If, after any investigation made by the director, or from any complaint filed with him or her, the director is of the opinion that a permit holder is violating the provisions of this article, or any rules promulgated pursuant thereto, or any order of the director, or any provision of a permit, the director may issue notice of intent to suspend, modify or revoke and reissue such permit. Upon notice of the director's intent to suspend, modify or revoke a permit, the permit holder may request a conference with the director to show cause why the permit should not be suspended,

modified or revoked. The request for conference must be received by the director within fifteen days following receipt of notice. After conference or fifteen days after issuance of notice of intent, if no conference is requested, the director may enter an order suspending, modifying or revoking the permit and send notice to the permit holder. Such order is a cease and desist order for purposes of administrative and judicial review and shall contain findings of fact upon which the director determined to make and enter the order. If an appeal of the director's order is filed, the order of the director shall be stayed from the date of issuance pending a final decision of the board.

Per provisions in §22-5-5, you may request a conference with the Director to show cause why the permits should not be revoked. If all delinquencies are addressed within fifteen (15) days from the date of this notice or within time frames agreed to in a conference, your permits will remain active and no further action by the DAQ will be taken.

If the existing permits are revoked, new permits will have to be obtained for the facility to operate. Operation of a source without first obtaining an applicable permit from the DAQ will subject the facility to enforcement actions and associated penalties.

Please send any requests for a conference with the Director of the Division of Air Quality to:

Jesse D. Adkins, Assistant Director
Compliance & Enforcement Section
Division of Air Quality
601 57th St., SE
Charleston, WV 25304

Sincerely,

Laura M. Crowder
Director