

# Fact Sheet



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

Permit Number: **R30-06500001-2024**

Applications Received: **September 20, 2021 (MM01) and October 23, 2023 (renewal)**

Plant Identification Number: **03-54-065-00001**

Permittee: **U. S. Silica Company**

Facility Name: **Berkeley Springs Plant**

Mailing Address: **P.O. Box 187; Berkeley Springs, WV 25411**

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Physical Location: Berkeley Springs, Morgan County, West Virginia  
UTM Coordinates: 739.59 km Easting • 4,393.48 km Northing • Zone 17  
Directions: Off of Route 522 approximately 3 miles north of Berkeley Springs

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## **Facility Description**

Sandstone mining, quarrying, and processing facility. SIC Code - 1446.

On September 20, 2021, the WV DEP DAQ received a minor modification application R30-06500001-2019 (MM01) for this facility. This application was for the addition of a Limestone Processing Operation, which has been included in this Title V permit renewal permit.

**Emissions Summary**

<b>Plantwide Emissions Summary [Tons per Year]</b>		
<b>Regulated Pollutants</b>	<b>Potential Emissions</b>	<b>2023 Actual Emissions</b>
Carbon Monoxide (CO)	13.75	1.52
Nitrogen Oxides (NO <sub>x</sub> )	96.35	1.80
Particulate Matter (PM <sub>2.5</sub> ) <sup>1</sup>	114.30	8.03
Particulate Matter (PM <sub>10</sub> ) <sup>1</sup>	239.20	13.85
Total Particulate Matter (TSP)	534.96	24.03
Sulfur Dioxide (SO <sub>2</sub> )	267.00	0.01
Volatile Organic Compounds (VOC)	1.29	0.10

*PM<sub>10</sub> is a component of TSP.*

<b>Hazardous Air Pollutants</b>	<b>Potential Emissions</b>	<b>2023 Actual Emissions</b>
Total HAPs	2.32	<0.10

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

<sup>1</sup>*PM<sub>2.5</sub> and PM<sub>10</sub> are components of TSP.*

**Title V Program Applicability Basis**

This facility has the potential to emit 239.20 TPY of PM<sub>10</sub> and 267.00 TPY of SO<sub>2</sub>. Due to this facility's potential to emit over 100 tons per year of criteria pollutant, U. S. Silica Company 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:	45CSR6	Open burning prohibited.
	45CSR7	Control of PM from Manufacturing Sources
	45CSR10	Sulfur Dioxide Emissions
	45CSR11	Standby plans for emergency episodes.
	45CSR13	Construction/modification permits
	45CSR16	NSPS Requirement
	WV Code § 22-5-4 (a) (14)	The Secretary can request any pertinent information such as annual emission inventory reporting.
	45CSR30	Operating permit requirement.
	40 C.F.R. 60 Subpart OOO	NSPS for Non-metallic mineral processing
	40 C.F.R. Part 61	Asbestos inspection and removal
	40 C.F.R. 64	Compliance Assurance Monitoring (CAM)
	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> )
R13-3535	November 22, 2021	
R13-2595B	April 20, 2016	PD10-027
R13-0715F	December 11, 2003	
R13-0750	June 14, 1984	
R13-1970	August 13, 1997	
R13-0991	April 12, 1988	
R13-1917	December 22, 1995	
R13-2015C	November 20, 2009	
R13-2145G	January 7, 2019	
R13-2423B	July 24, 2017	
R13-2299A	August 29, 2003	
R13-0029A	November 19, 2018	
		PD11-037
		PD12-007
		PD05-008

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

### Changes associated with minor modification MM01:

- **Condition 1.1.** – The Emission Units table was updated to add the equipment from the Limestone Processing Operations.
- **Condition 1.2** – The active R13 permit R13-3535 was added.
- **Condition 3.2.2.** – A reference for the Limestone Processing Operations was added in the note.
- **Conditions 3.1.14. and 3.4.1.** – A reference to a permit condition in Permit R13-3535 was added in the citation.
- **Condition 5.0.** – Added an entry for the Limestone Processing Operations.
- **Condition 5.1.1.2.** – A reference to the equipment for the Limestone Processing Operations from NSR Permit R13-3535 was added in the citation.
- **New Condition 5.1.14.** – Added this section for the Limestone Processing Operations from NSR Permit R13-3535.
- **New Conditions 5.2.9., 5.2.10., 5.2.11., 5.3.2.d. and 5.3.4.d.** – Added these conditions for the Limestone Processing Operations from NSR Permit R13-3535.
- **Conditions 5.3.2., 5.3.2.b., 5.3.4., 5.3.5., 5.4.6., 5.4.15. and 5.5.4.** – Added references for the Limestone Processing Operations from NSR Permit R13-3535 and a note in the citations.
- **New Conditions 5.3.7., 5.4.16., 5.4.17., 5.4.18. and 5.5.5.** – Added these conditions for the Limestone Processing Operations from NSR Permit R13-3535.

**NOTE:** Permit conditions 4.1.3.1. and 4.1.3.2. from NSR Permit R13-3535 were not included in the Title V permit renewal. These conditions are to set limits for particulate matter opacity, but the Limestone Processing Operations are subject to the more stringent limits in 40 CFR 60 Subpart OOO Table 3, which are included as permit conditions 5.1.14.3.a. and 5.1.14.3.b.

### Title V 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 reference was changed from 45CSR§30-2.12 to 45CSR§30-2.39. because the definition of “Secretary” was renumbered in a previous version of 45CSR30.
- **Condition 2.11.4** – The citation was changed from “45CSR§30-2.39” to “45CSR§30-2.40”.
- **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.
- **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.

### **Compliance Assurance Monitoring (CAM)**

All the new equipment added to the permit with this renewal, are subject to 40 CFR 60, Subpart OOO which exempts it from CAM according to the exemption in 40CFR§64.2(b)(1)(i).

### **Non-Applicability Determinations**

The following requirements have been determined not to be applicable to the subject facility due to the following:

N/A

### **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: September 6, 2024

Ending Date: October 7, 2024

### **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 57<sup>th</sup> 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.