

Jefferson County Foundation, Inc.

January 19, 2022

Cristina Fernandez
Air Division Director, EPA Region 3
MaryCate Opila
Air Permitting Branch Chief, EPA Region 3

Via email to Fernandez.Cristina@epa.gov and Opila.Marycate@epa.gov

RE: Additional Information as a follow up to our August 4, 2021 Meeting and in support of our May 17, 2021 Request to Take Immediate Action to Stop Operation of the Rockwool Mineral Wool Production Facility in Ranson, West Virginia (Permit No. R14-0037, Plant ID No. 0037-00108)

Dear Ms. Fernandez and Ms. Opila,

Thank you again for engaging with Jefferson County Foundation (JCF) and other federal, state, and local officials and community groups from our region to better understand our concerns regarding the significant deficiencies in WVDEP's prevention of significant deterioration (PSD) permitting of the newly constructed Rockwool mineral wool factory in Ranson, West Virginia. In our May 17, 2021 letter to EPA Administrator Michael Ragan asking the Agency to engage with the West Virginia Department of Environmental Protection (WVDEP) to address these deficiencies and subsequent communications, JCF identified several concerns with the PSD permitting of the facility, including the fact that the current best available control technology (BACT) limits do not reflect Rockwool's operation of the Melting Furnace using primarily (or exclusively) natural gas.

Here JCF seeks to provide additional information we believe bolsters the assertion that Rockwool is operating the Melting Furnace using primarily (or exclusively) natural gas, and that it would require significant effort – including significant additional construction – to actually use coal to operate the Melting Furnace. This information supplements the information provided in our May 17, 2021 request letter (including attachments), our June 18, 2021 letter describing the recent Final Statement of the Danish Mediation and Complaints-Handling Institution for Responsible Business Conduct, the August 4, 2021 meeting, and our August 11, 2021 follow-up letter providing additional information you requested at the meeting.

Last week, WVDEP made Rockwool's Opacity Test Reporting Form and attached letter available to the public. This form described the results of visible emissions evaluations performed at Rockwool on November 9, 2021. This testing was performed as required by Rockwool's Construction Permit No. R14-0037. We noted on our review of this report and letter that the emission units associated

with the coal handling¹ were not included in the observation data.² It was subsequently noted on publicly available post-construction pictures of the Rockwool Ranson Facility (Attachment 1)³ that most (if not all) of the infrastructure associated with coal milling and coal handling as described in Rockwool's Construction Permit No. R14-0037 seem to not have been constructed and are not present at the facility, including the Coal Storage Silo A-C (IMF03 A-C), Conveyor Transfer Point (IMF04), Coal Milling Burner & Baghouse (IMF05), Coal Milling De-Dusting Bag house (IMF06), Conveyor Transfer Point (IMF13), Coal Milling Building (B235), and Coal Unloading (B230), Coal Unloading Hopper (B231).⁴ The actual construction of the facility without essential coal handling, milling, and storage infrastructure appears to confirm that Rockwool is using exclusively natural gas to operate the Melting Furnace and cannot operate using coal as they asserted in their application. Nor does it appear that the the facility as constructed can “revert” back to burning coal as asserted in Rockwool's March 2, 2020 letter to WVDEP describing their intended fuel switch.⁵

Based on these new observations, the Foundation also reviewed site maps Rockwool has provided for other purposes, including other environmental permitting.⁶ In so doing, we noted that the only coal handling equipment present on any of these facility depictions is IMF03, the Coal Silos, and none of the other coal handling infrastructure appears to be depicted in any of these documents. This includes documents produced as early as July 2017, well before Rockwool's applications for construction and PSD permits (November 2017 and January 2018, respectively, WVDEP's 2018 public notice and final issuance of the Air Permit to Construct, and Rockwool's 2020 letter informing WVDEP of their intended fuel switch.⁷ Notably, in documents produced in 2020 and 2021,⁸ even the Coal Silos disappear from the site maps. In fact, the only documents reviewed by the Foundation in which the coal milling infrastructure appears are the documents within the air permit to construct and its application materials.

¹Emission unit IMF03, IMF04, IMF05, IMF06, IMF13, and IMF25 (the Coal Storage Silos (A-C), Conveyor Transfer Point, Coal Milling Burner & Baghouse, Coal Milling De-Dusting Baghouse, Conveyor Transfer Point, and the Coal Feed Tank Respectively) were not included in the observations. According to Rockwool's Air Permit to Construct R14-0037 at 3 and 4 these are the emission units associated with coal handling (including storage) and milling at the facility.

² It appears whereas the both the Coal in Milled Form (New Source Review PSD application section 2.1.1.2) delivered to site and distributed within the site and the Coal Milling (New Source Review PSD application section 2.1.1.3) processing and distribution steps fall within the larger Raw Material Handling (New Source Review PSD application section 2.1.1), the only permit condition related to opacity testing is what applies to Melt Raw Material Handling described in section 2.1.1.1.

³ Obtained from Rockwool's Facebook Page post from 6-21-2021. Last accessed on 1-18-2021. *available at* <https://www.facebook.com/ROCKWOOLRansonCommunity/>

⁴ See Rockwool's Air Permit to Construct Permit No. R14-0037 at 3 and 4 (Exhibit C to JCF May 17, 2021 letter), and Rockwool's New Source Review PSD Application for Permit to Construct at 59 (Exhibit H to JCF May 17, 2021 letter) (Attachment 2).

⁵See Ken Cammarato, Vice President Rockwool letter to Director Crowder of the Division of Air Quality of the DEP regarding “Rockwool Mineral Wool Production Facility – Ranson, West Virginia Facility ID 037-00180 – permit No:R14-0037” sent March 2, 2020. (Exhibit D to JCF May 17, 2021 letter)

⁶ These documents include but are not limited to Rockwool's July 2017 Geotechnical investigation report, NPDES stormwater construction permit registration in 2017, 2018, and 2019, and Plumbing plans submitted to the municipality of Ranson for approval in 2019 (Attachment 3)

⁷ See generally timeline provided at WVDEP Information About the Rockwool Facility In Jefferson County, West Virginia (as of May 3, 2021), *available at* <https://dep.wv.gov/news/Pages/RockwoolInformation.asp> (Exhibit K to JCF May 17, 2021 letter)

⁸ At least two cite maps that Rockwool has submitted to the DEP in 2020 and one to the EQB in 2021 as part of its NPDES permitting lack even the Coal Silos in the depiction of the facility.

Rockwool's failure to construct the coal handling infrastructure demonstrates a strong likelihood that Rockwool does not – and more importantly, at the time of permitting, did not – plan to operate the Melting Furnace with coal, either alone or in combination with natural gas. In fact, it should be noted that in order to operate the Melting Furnace with coal Rockwool would have to construct coal infrastructure on its site. This represents a significant undertaking, likely requiring permits from both the WVDEP and local jurisdictions. In light of this, it strains credulity to think that Rockwool will start to operate the Melting Furnace with coal, rather it appears they plan to continue to operate it with primarily or exclusively natural gas.

We realize that nothing in Rockwool's Air Permit to Construct Permit No. R14-0037 requires Rockwool to use coal, and that if it chooses not to use coal at the facility nothing requires it to build the planned coal handling infrastructure. However, the information provided here appears to demonstrate that Rockwool is in fact operating the Melting Furnace without coal, and not as Rockwool asserted when it applied for and received its PSD permit, that the facility would burn primarily coal in the Melting Furnace. Critically, the permit's BACT limits in the permit reflect this primary use of coal. *See* JCF May 17 letter at 6-9 and JCF August 11 letter at 1-2. Thus, the current permit limits for the Melting Furnace do not reflect the apparent planned or current operation of the facility, and are thus not in compliance with the Clean Air Act's BACT requirements.

Rockwool burning primarily natural gas to operate the Melting Furnace and failing to construct a facility designed to burn coal in that furnace represents a fundamental change in operations from those described in Rockwool's PSD application and allowed by WVDEP's PSD permit, and thus requires new BACT limits that reflect this primary use of natural gas. *See, generally,* JCF May 17 letter at 1-2 and 9-14. This would be consistent with what is required of other similar facilities. We would again draw your attention to the example provided in our August 11, 2021 follow up letter. The permit for the Owens Corning facility in Joplin, Missouri requires that the natural gas-fired burner for the cupola furnace (used at start-up) utilize a low-NOx burner. *See* JCF August 11 at 3. As we previously explained, use of low NOx burners was not even analyzed, much less required, in the BACT analysis for the Melting Furnace at Rockwool. *See* May 17 letter at 8-9. EPA should act to make sure these issues are addressed now.

Thank you for continuing to engage with JCF and others in the community regarding the Rockwool PSD permit issued by WVDEP. We believe that the information we have provided over the last eight months clearly demonstrates that Rockwool's current permit does not comply with the Clean Air Act BACT permitting requirements. We continue to believe EPA is in the best position to resolve these permitting issues in a timely manner, and ask that you engage with WVDEP to re-open the existing PSD permit (or undertake a new permitting process) to analyze and incorporate the Melting Furnace fuel change in enforceable BACT limits, and include public participation in that process, especially for the environmental justice communities immediately adjacent to the facility. At a minimum, WVDEP must fulfill its obligations as a SIP-approved permitting authority to provide reasoned decision-making by explaining, in writing, their conclusion that no changes to Rockwool's current PSD permit are required due to the switch from coal to natural gas as the primary fuel for the Melting Furnace. We also reiterate that to the extent these issues are not addressed now, they may be raised in future enforcement actions and/or the eventual title V permitting process, neither of which is the most efficient or effective way to ensure that the Rockwool facility operates in compliance with the Clean Air Act throughout its operations.

Please let us know if you need any additional information or would like to arrange another meeting to continue discussions regarding Clean Air Act permitting of the Rockwool facility.

Sincerely,

Christine L Wimer

Dr. Christine Wimer
President, Jefferson County Foundation

Cc (via email):

Michael Ragan, EPA Administrator

Lawrence Starfield, Acting Assistant Administrator, Office of Enforcement and Compliance Assurance, at Starfield.Lawrence@epa.gov

Joseph Goffman, Acting Assistant Administrator, Office of Air and Radiation, at Goffman.Joseph@epa.gov

Diana Esher, Acting Regional Administrator, Region 3, at Esher.Diana@epa.gov

Karen Melvin, Director, Region 3 Enforcement and Compliance Assurance Division, at Melvin.Karen@epa.gov

Harold Ward, WVDEP Cabinet Secretary, at Harold.D.Ward@wv.gov

Laura Crowder, Director, WVDEP Division of Air Quality, at Laura.M.Crowder@wv.gov

Kristi M. Smith, Smith Environmental Law (Counsel to JCF), at Kristi@SmithEnvironmentalLaw.com

Attachment 1

Attachment 1a: All images in attachment 1 are screenshots obtained from Rockwool's Facebook Page on June 22, 2021 of a June 21, 2021 post. The post was last accessed on Jan 18, 2022.

Original



Rockwool Ranson Community
20h · 🌐

Water sustainability at ROCKWOOL's new Ranson, We...

We know how important it is to conserve and protect precious water supplies, and our new ROCKWOOL Ra...
[See More](#)

👍 44 4 Comments 1K Views

👍 Like 💬 Comment ➦ Share 👤

Up Next

- Quality control and product certification...**
Rockwool Ranson Com...
a week ago · 10.6K Views
- Stone wool coming**

Comments [See All](#)

👤 Write a comment... 😊 📷 🗨️ 🔄

Redline added



Rockwool Ranson Community
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Water sustainability at ROCKWOOL's new Ranson, We...

We know how important it is to conserve and protect precious water supplies, and our new ROCKWOOL Ra...
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Comments [See All](#)

👤 Write a comment... 😊 📷 🗨️ 🔄

Attachment 1b:
Original



Red line added.



Attachment 1c:
Original



Rockwool Ranson Community
19h · 🌐

Water sustainability at ROCKWOOL's new Ranson, We...

We know how important it is to conserve and protect precious water supplies, and our new ROCKWOOL Ra...
[See More](#)

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👍 Like 💬 Comment ➦ Share 🧑🏻 👤

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Comments [See All](#)

Write a comment... 😊 📷 🗨️ 🗑️

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Water sustainability at ROCKWOOL's new Ranson, We...

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Up Next

Quality control and product certification...
Rockwool Ranson Com...
a week ago · 10.6K Views

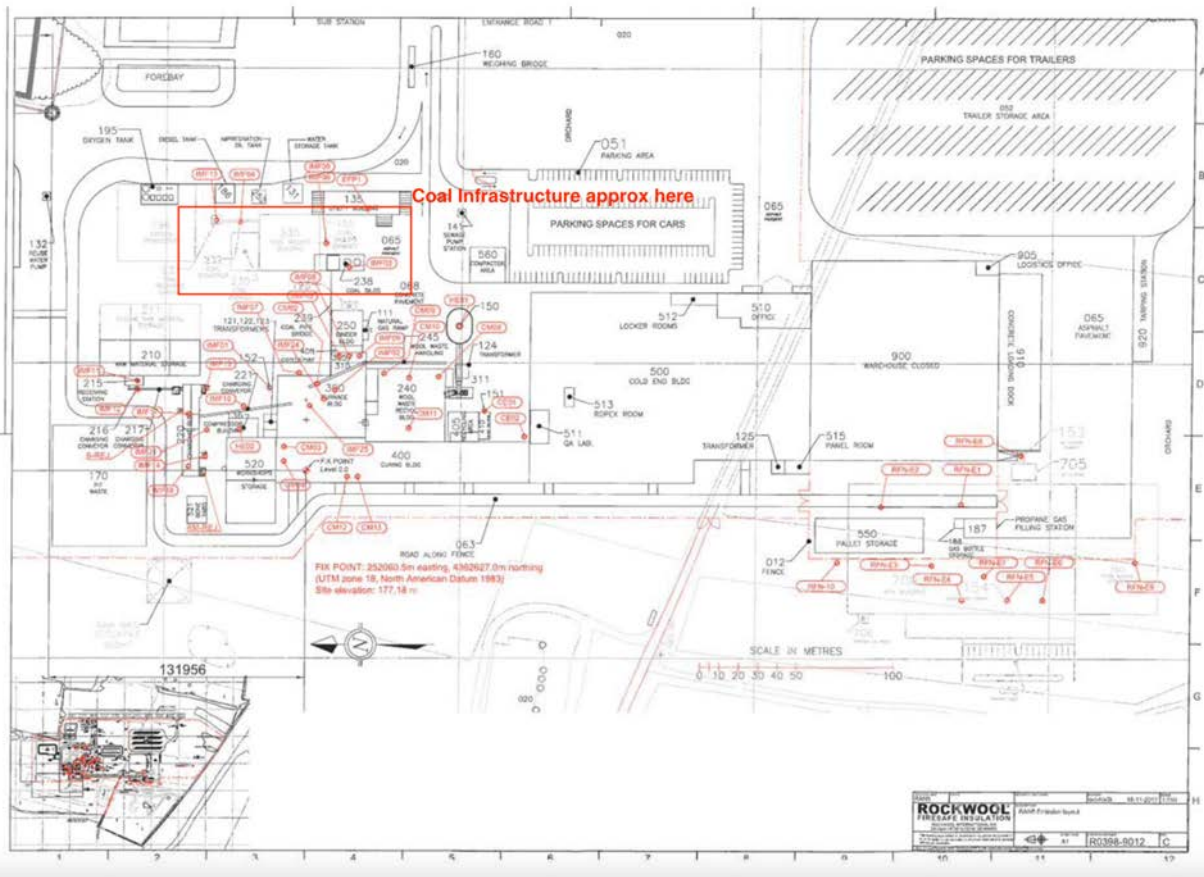
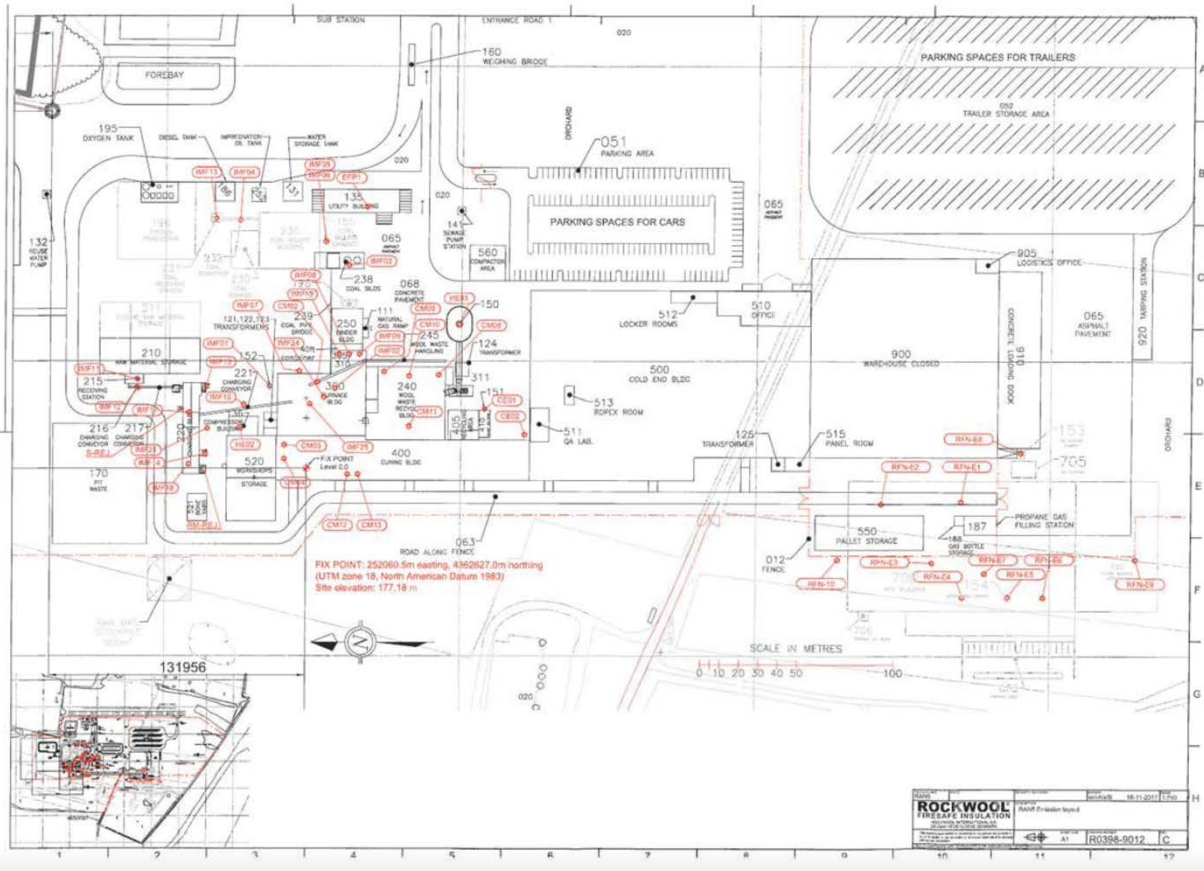
Stone wool coming...

Comments [See All](#)

Write a comment... 😊 📷 🗨️ 🗑️

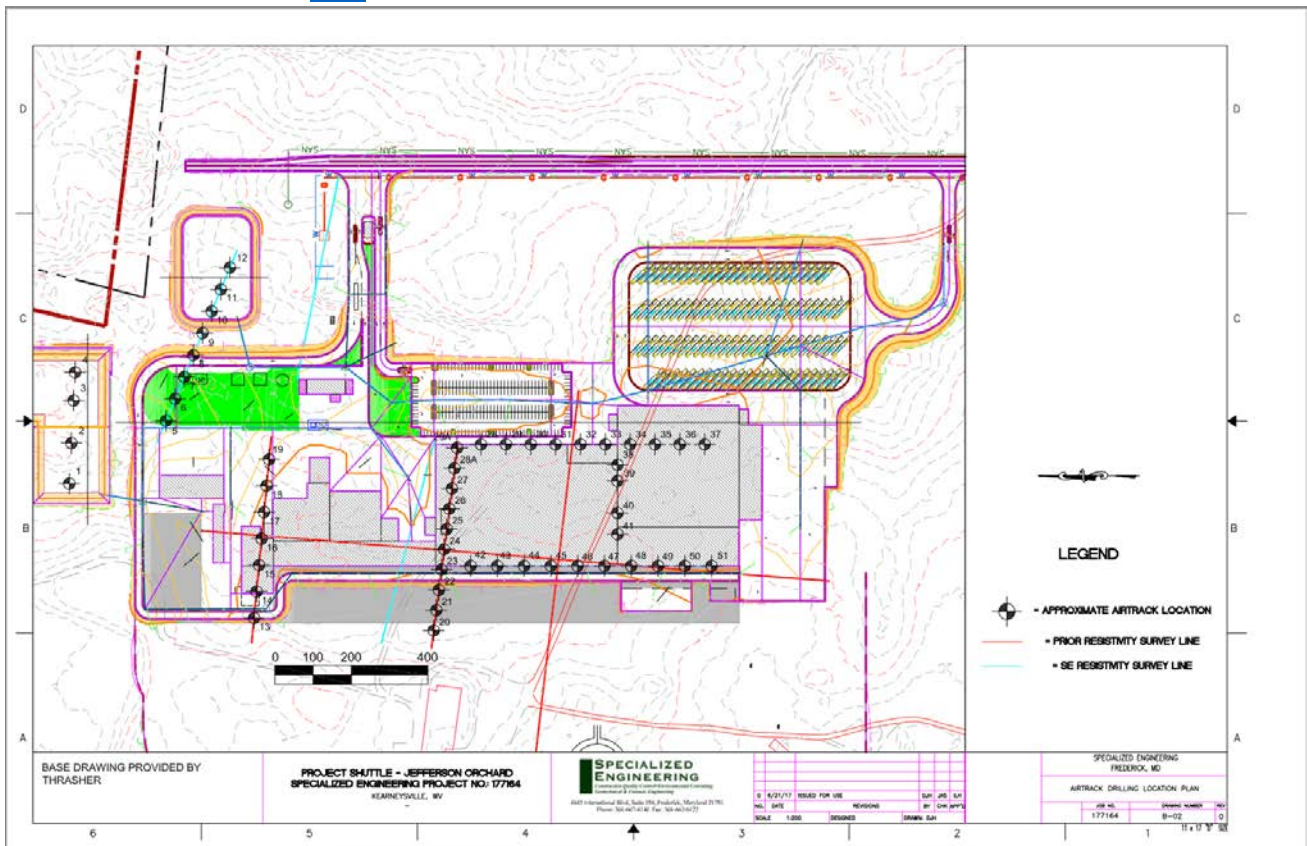
Attachment 2

This image can be found on page 59 of Rockwool's New Source Review PSD Application for Permit to construct. For the Full document See Exhibit H to the JCF May 17, 2021 letter.

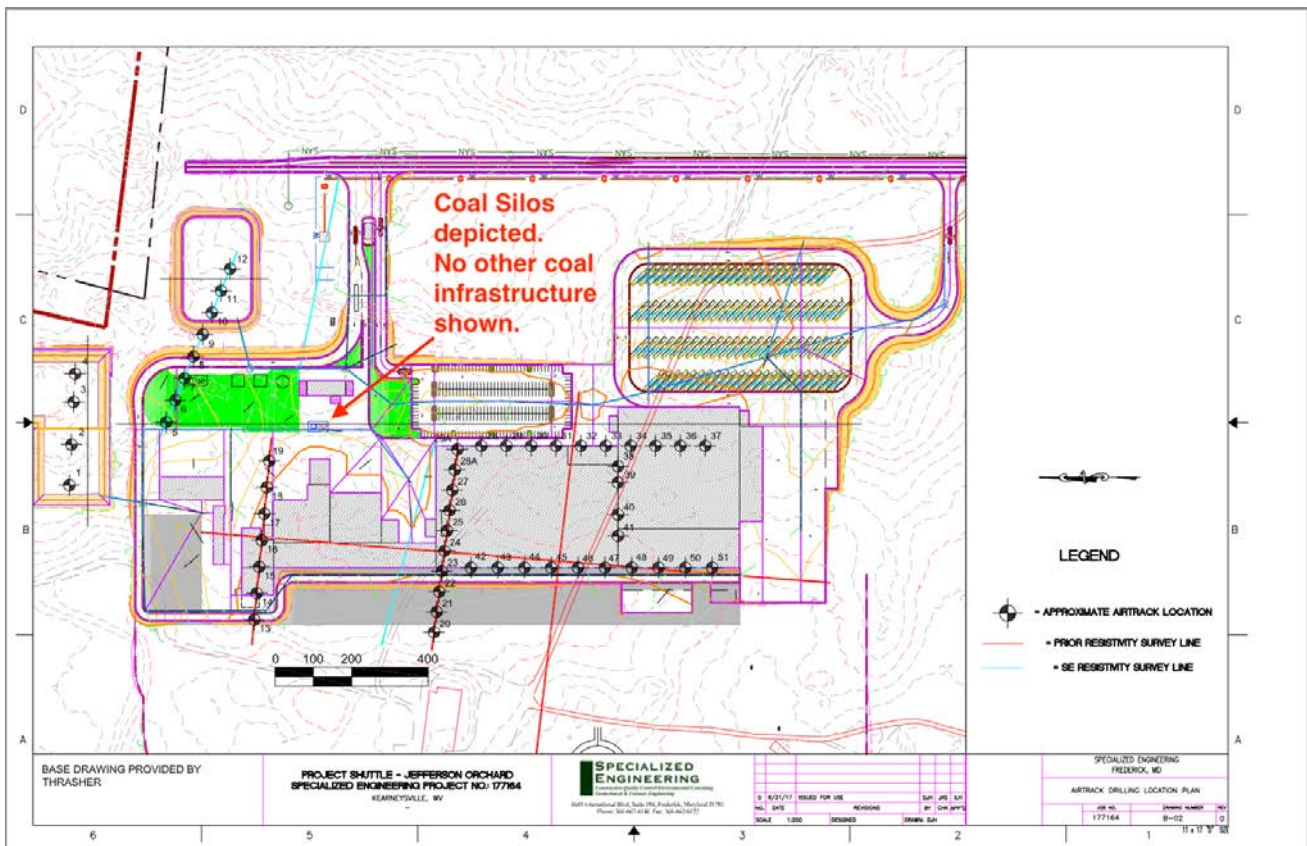


Attachment 3

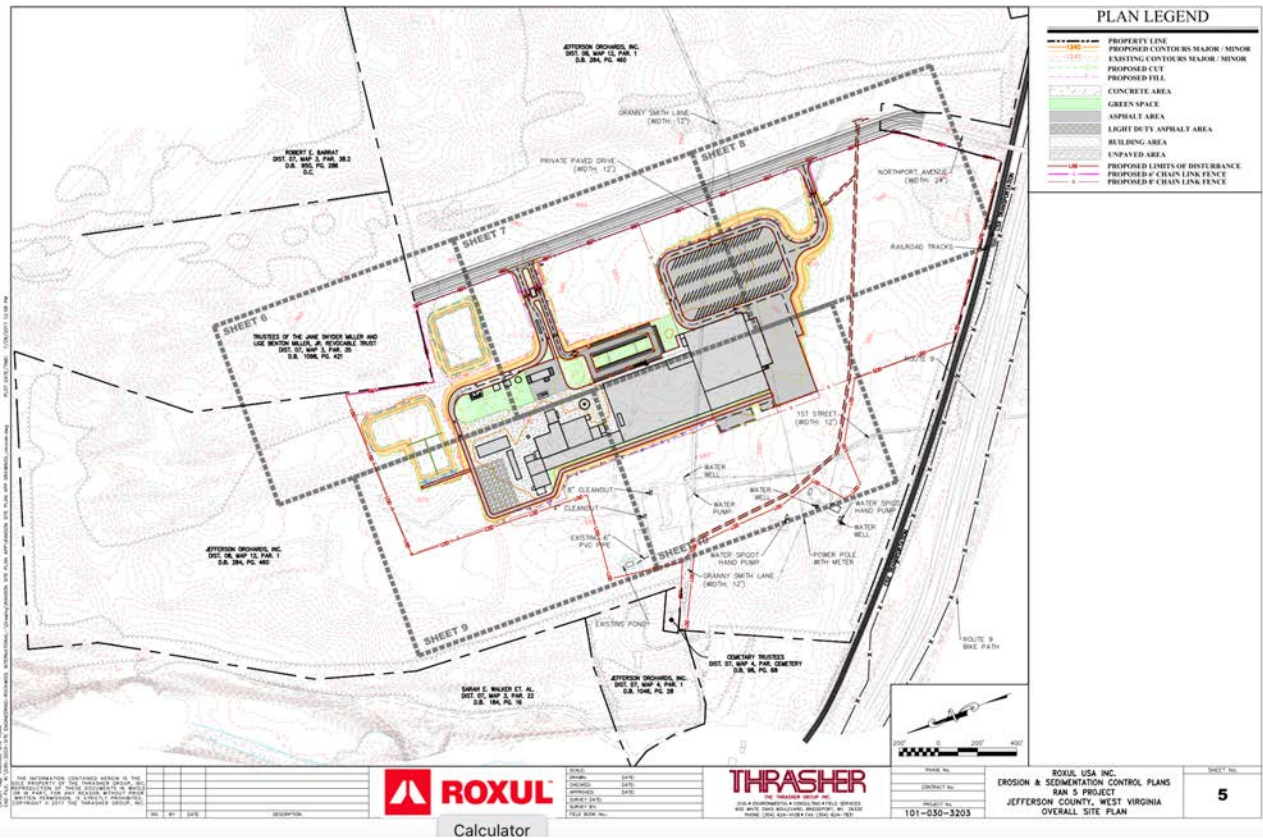
Attachment 3a is a site map from Rockwool's July 2017 Geotechnical Report. This is page 37 and appear to show only Coal Silos and no other coal infrastructure. Full document follows experts. Full document can be found [here](#).



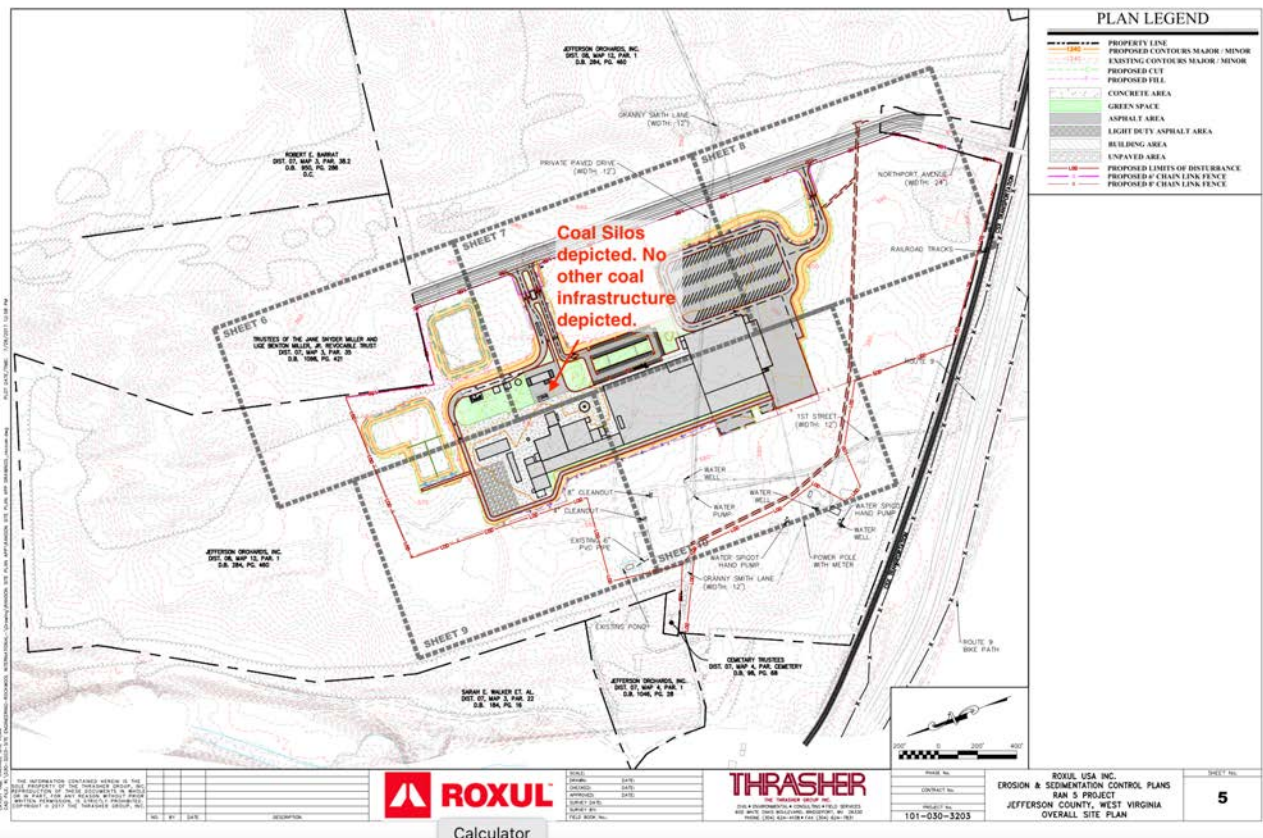
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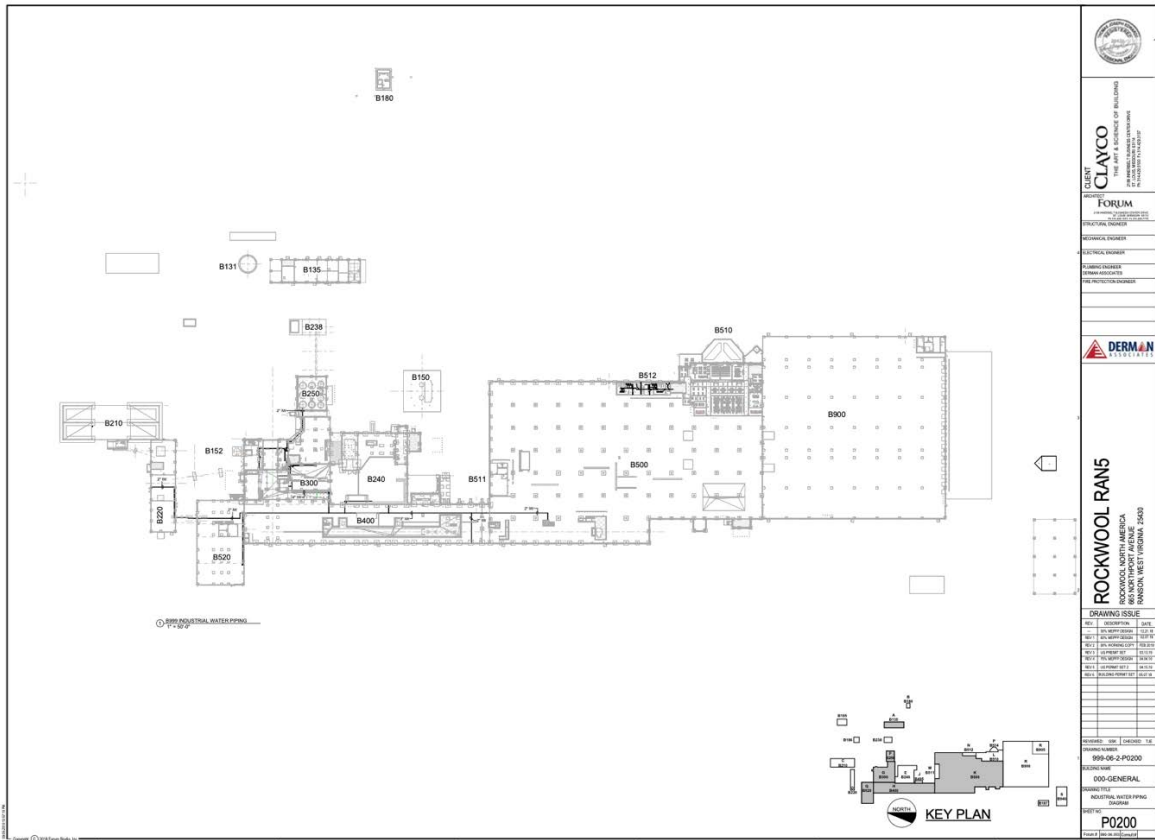
Attachment 3b is a site map from July 2017 submitted as part of Rockwool's NPDES permitting. Full document can be found [here](#).



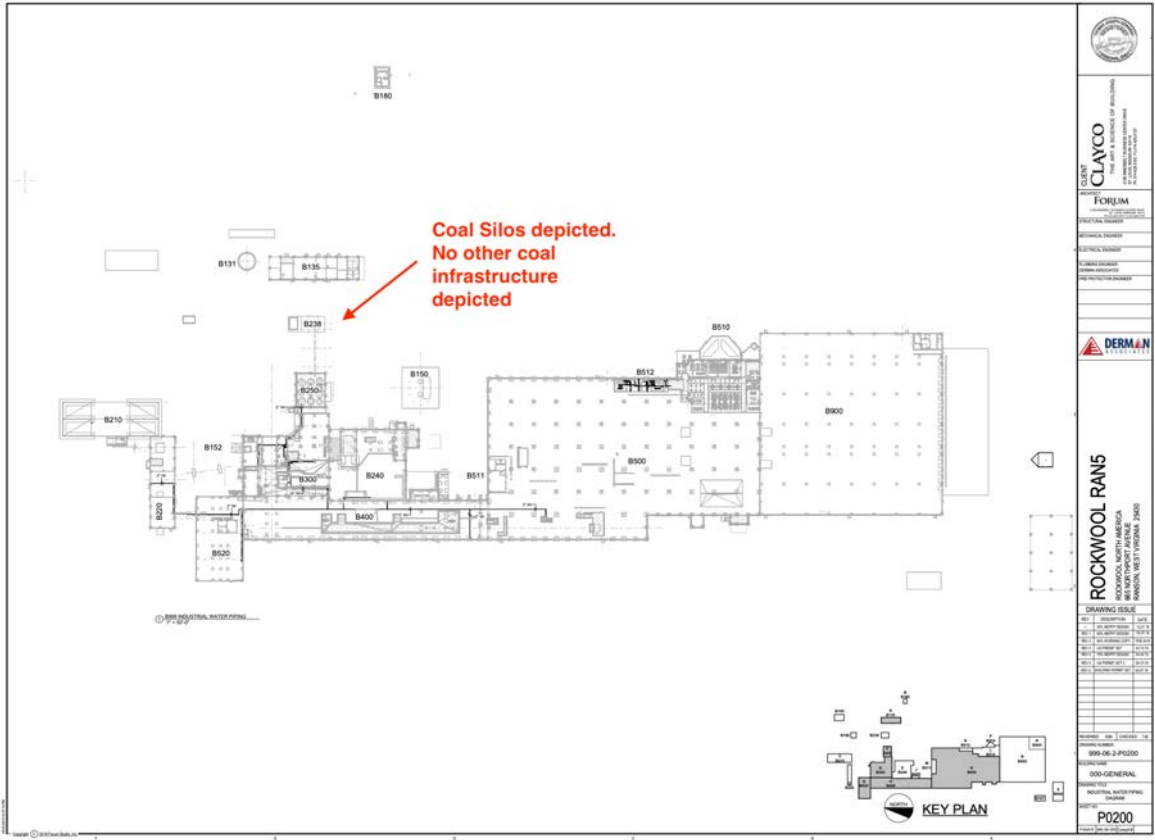
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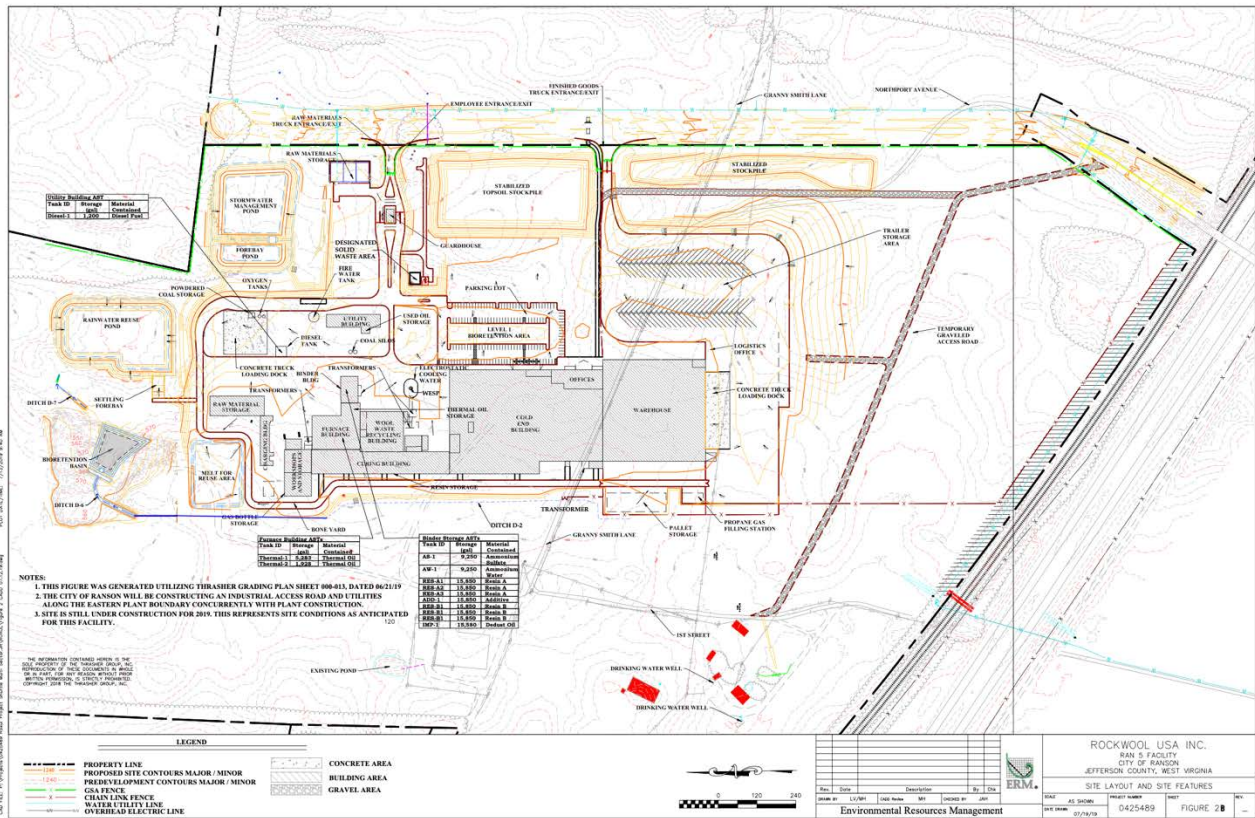
Attachment 3c is page six of plumbing plans submitted to Ranson, West Virginia dated September 2019. Full document can be found [here](#).



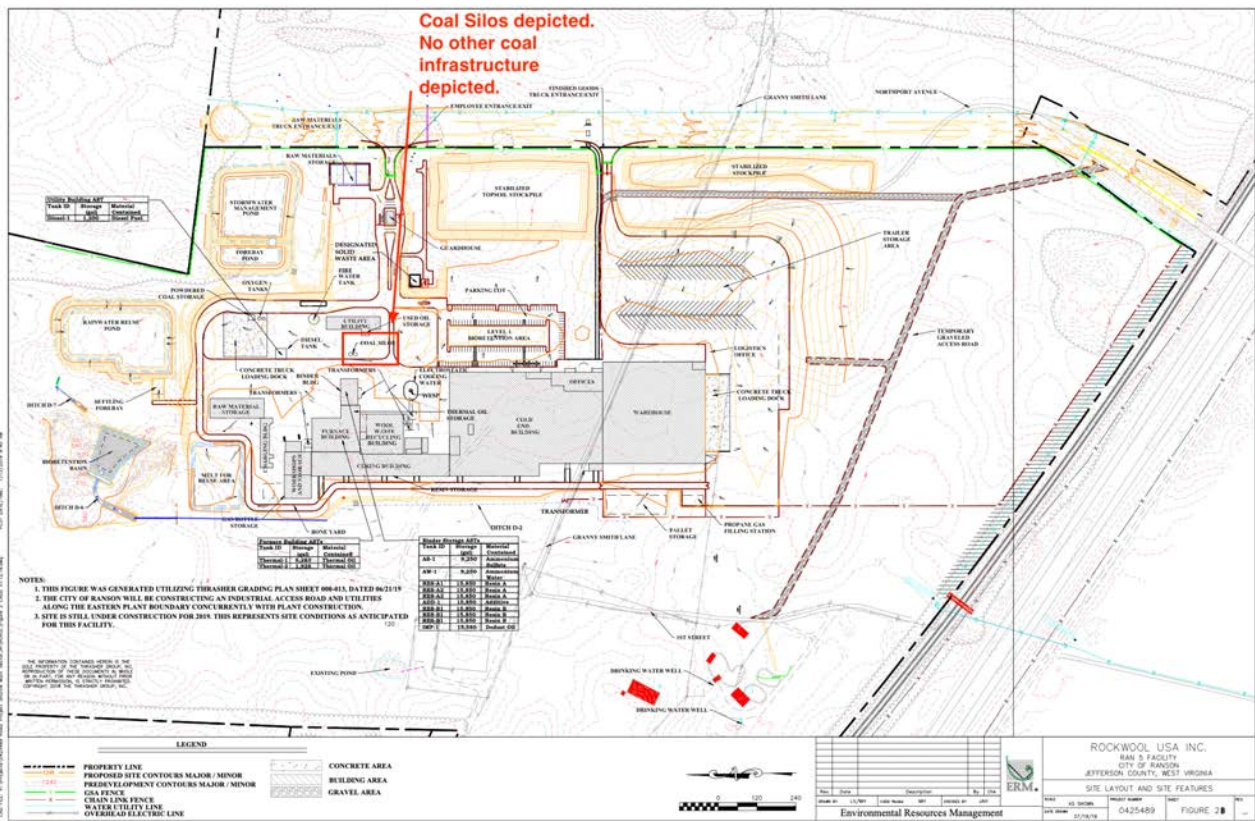
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Attachment 3d is a site map submitted as part of Rockwool's NPDES permitting in July 2019. Full document can be found [here](#).

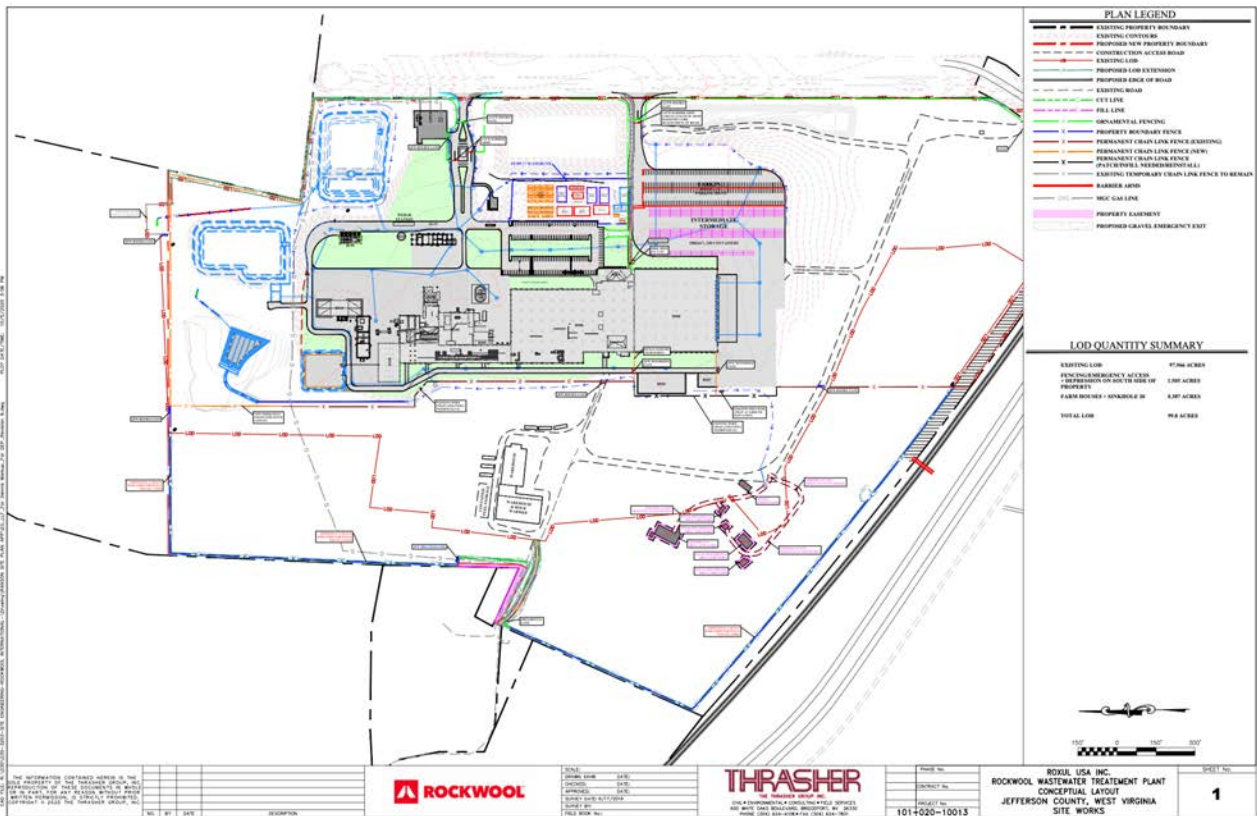


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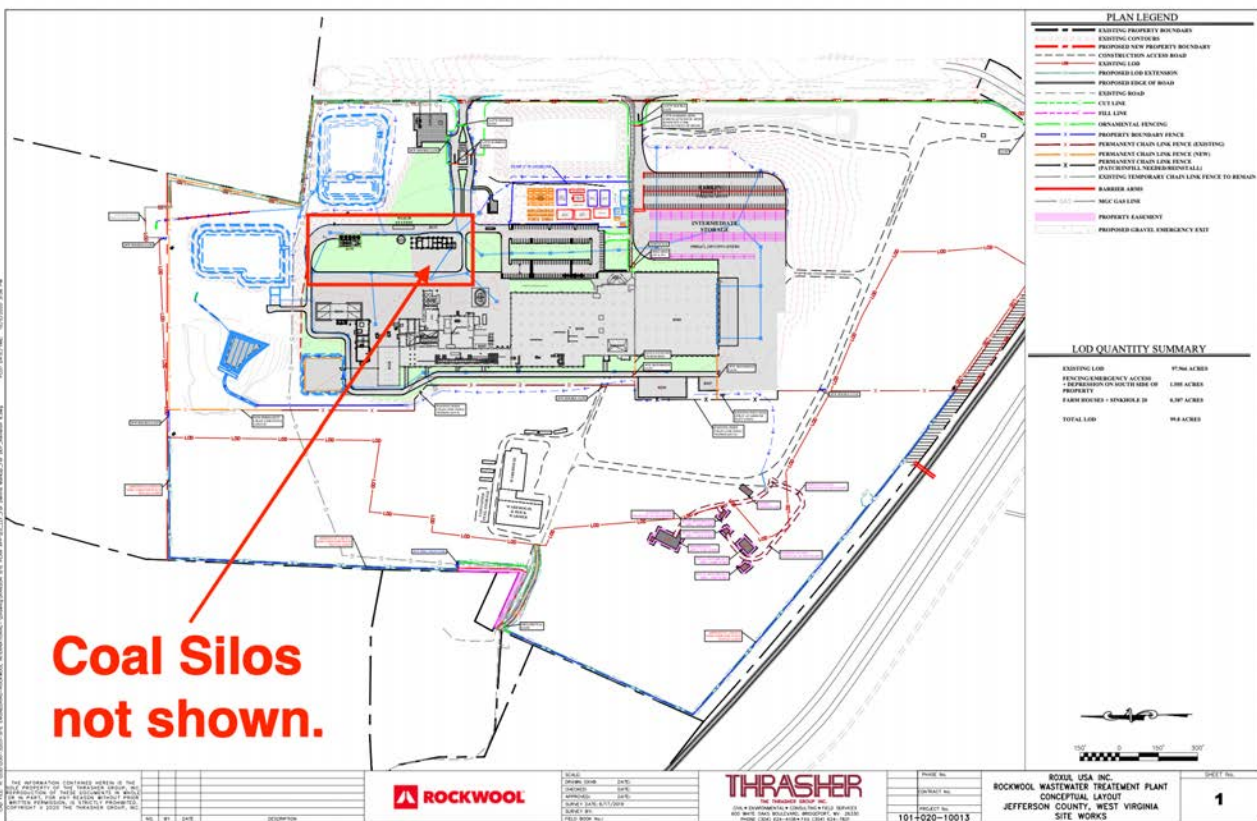


Attachment 4

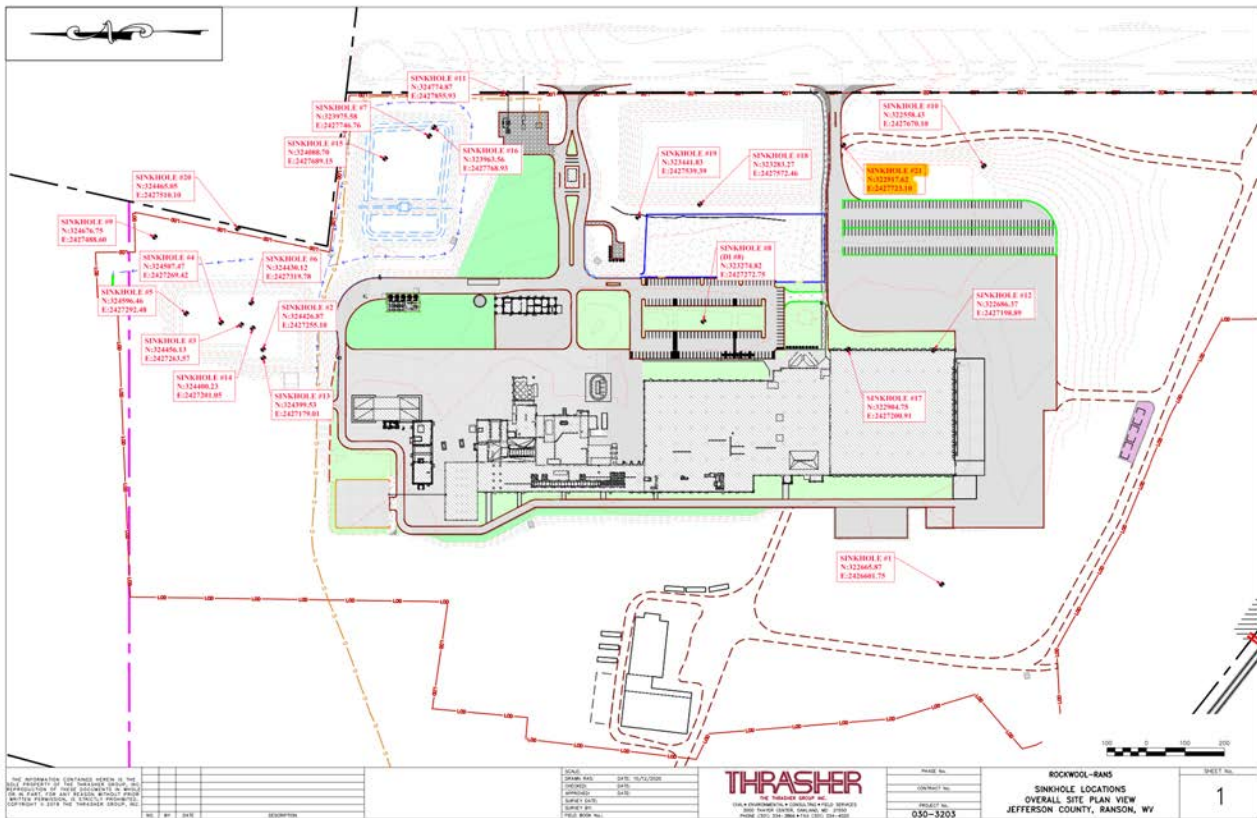
Attachment 4a is a site map dated 10-5-2020 submitted as part of Rockwool's NPDES permitting. All documents in attachment 4 are one-page documents and the entire page is shown [here](#).



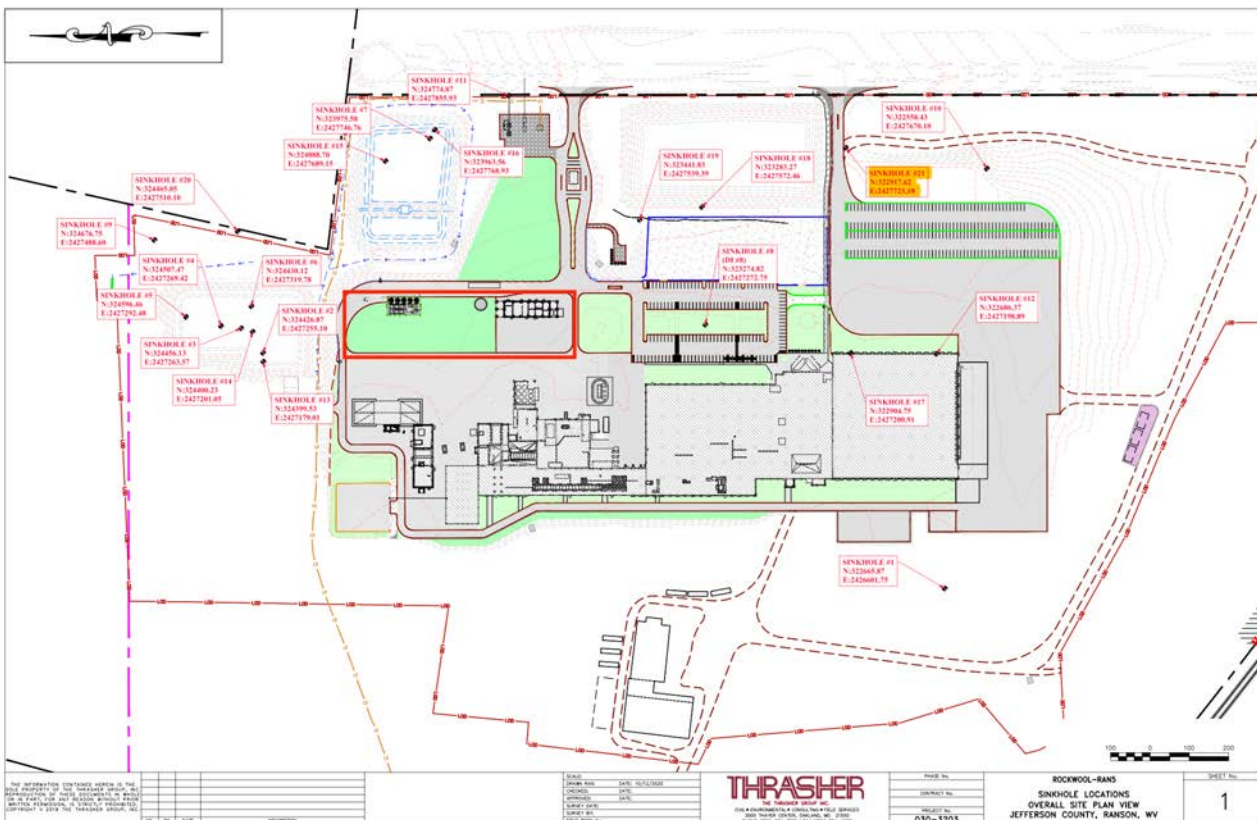
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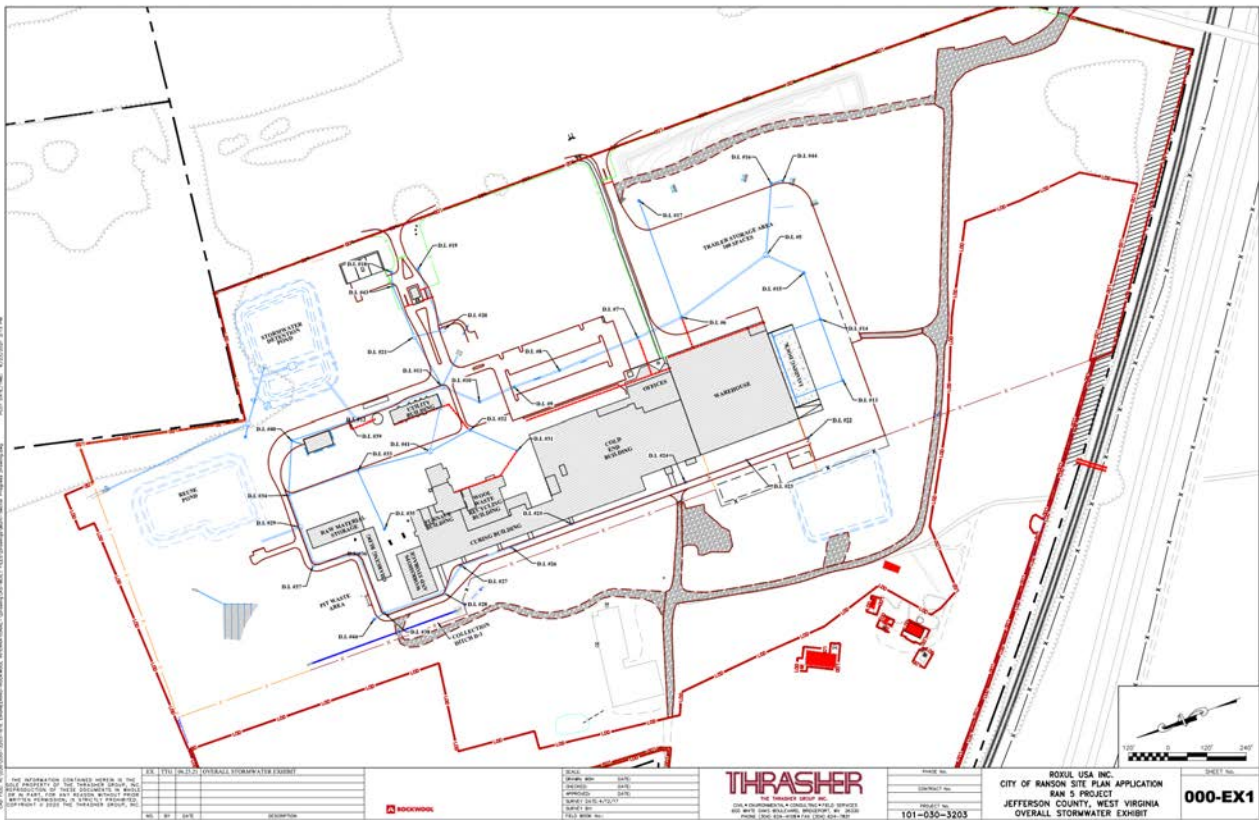
Attachment 4b is a site map dated 10-12-2020 submitted as part of Rockwool's NPDES permitting. Full document can be found [here](#).



Red line added.



Attachment 4c is a site map submitted to the WVEQB by Rockwool in June 2021. Full document can be found [here](#).



Red line added.

