

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: 45CSR7 "Regulations to Prevent and Control Particulate Air Pollution
from Manufacturing Process Operations"

Type of Rule: X Legislative Interpretive Procedural

Agency: Office of Air Quality

Address: 1558 Washington Street, East
Charleston, WV 25311-2599

1. Effect of Proposed Rule	Annual		Fiscal Year		
	Increase	Decrease	Current	Next 1993-94	1994-95
Estimated Total Cost	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates:

The proposed revisions to 45CSR7 affect three facilities, two ferroalloy plants and one fiberglass insulation manufacturer. The companies owning these facilities are requesting limited regulatory relief from the Commission. If enacted, the proposed rule changes will have no effect on the cost of rule implementation.

3. Objectives of these rules:

The subject matter of the proposed rule changes involve particulate emissions requirements from ferroalloy electric submerged arc furnaces during blowing taphole events, poling, and oxygen lancing operations and particulate emission requirements from fiberglass insulation operations using the flame attenuation method. The company's affected by current regulations have petitioned the APCC for changes.

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4. Explanation of overall economic impact of proposed rule.

A. Economic impact on state government.

Negligible

B. Economic impact on political subdivisions; specific industries; specific groups of citizens.

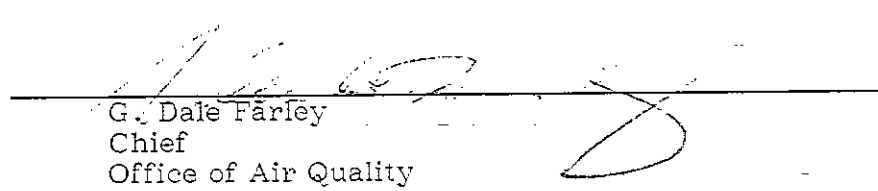
The affected facilities have indicated that complying with current rules are economically infeasible.

C. Economic impact on citizens/public at large.

Negligible

Date: 5/1/73

Signature of agency head or authorized representative:



G. Dale Farley
Chief
Office of Air Quality

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SUMMARY

**OFFICE OF WEST VIRGINIA
SECRETARY OF STATE**

45CSR7 "Regulation to Prevent and Control Particulate Air Pollution from Manufacturing Process Operations" was last amended effective May 27, 1983. The rule changes to 45CSR7 have been proposed as a result of petitions to the Air Pollution Control Commission by Elkem Metals Company, American Alloys, Inc., and Schuller International, Inc.

Elkem Metals Company and American Alloys, Inc., have requested changes to the rule such that particulate emissions, resulting from the operation of ferralloy electric submerged arc furnaces, not be subject to process source requirements under the rule during blowing taphole events, poling, and oxygen lancing operations.

Schuller International, Inc., has requested changes to section four of the rule which concerns particulate emissions by weight from manufacturing process source operations. Schuller has requested a change in the particulate emission limitation for its fiberglass insulation manufacturing operations using the flame attenuation method which would allow particulate emissions to increase from 27.5 pounds per hour to 48.6 pounds per hour from all similar source operations in existence at the facility.

45CSR7 is part of the State Implementation Plan for West Virginia and any changes are subject to State Implementation Plan revision procedures under Title I of the Clean Air Act.

PROPOSED AMENDMENTS TO 45CSR7

AFFECT OF PROPOSED AMENDMENTS ON OTHER SECTIONS AND PROVISIONS OF THE RULE

The definitions added to the rule at Subsections 2.38 to 2.43 define specific operations associated with production of ferroalloys proposed to be exempted from the visible emission requirements of Subsections 3.1 and 3.2 and the fugitive particulate matter control provisions of Subsection 5.1. No other section of the rule is affected by these definitions.

The provisions added as Subsections 4.15a to 4.15c establish particulate matter emission standards for fiberglass insulation manufacture by the flame attenuation method. The effect of these subsections is to render all other provisions of Section 4 inapplicable except Subsections 4.2, 4.3 and 4.14. The proposed revision is applicable to only one existing plant which petitioned the Commission for the rule change and would relax the total plant emission limitation for the flame attenuation fiberizing operations from 27.5 lb/hr to 48.6 lb/hr.

New Subsection 5.3 would make the visible emission limitations of Subsection 3.1 and 3.2 and the fugitive particulate matter control requirements of Subsection 5.1 inapplicable to certain operations associated with ferroalloys production furnaces at two existing plants. These affected companies have petitioned the Air Pollution Control Commission for the proposed changes.



DEPARTMENT OF COMMERCE, LABOR & ENVIRONMENTAL RESOURCES

OFFICE OF THE SECRETARY

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GASTON CAPERTON
Governor

JOHN M. RANSON
Cabinet Secretary

June 2, 1993

Britt A. Bernheim, Secretary
West Virginia Air Pollution
Control Commission
1615 Washington Street, East
Charleston, West Virginia 25311

Re: 45CSR7 - "To Prevent and Control Particulate Air
Pollution From Manufacturing Process
Operations" and

45CSR10 - "To Prevent and Control Air Pollution From the
Emission of Sulfur Oxides"

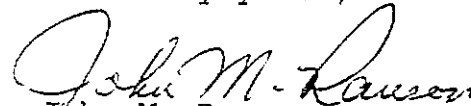
Dear Ms. Bernheim:

Pursuant to West Virginia Code Section 5F-2-2(a)(12), I hereby consent to the proposal of the rules specified above.

I am authorizing the proposal of these rules with the understanding that the modifications they propose will be subjected to public comment and scrutiny before final adoption. I understand that the Commission will require the affected regulated parties to provide adequate technical data and documentation to establish that the proposed changes are needed, and that they can be made without an unreasonable impact on air quality.

You may attach a copy of this letter to your filing with the Secretary of State as evidence of my consent.

Sincerely yours,


John M. Ranson
Cabinet Secretary

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TITLE 45
LEGISLATIVE RULES
WEST VIRGINIA AIR POLLUTION CONTROL COMMISSION

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 7
TO PREVENT AND CONTROL PARTICULATE AIR POLLUTION
FROM MANUFACTURING PROCESS OPERATIONS

[PROPOSED AMENDMENTS TO 45CSR7: ADDITIONAL SUBSECTIONS]

2.38 - "Ferroalloy electric submerged arc furnace" means any furnace used in production of ferroalloys wherein electrical energy is converted to heat energy by transmission of current between electrodes partially submerged in the furnace charge.

2.39 - "Furnace charge" means any material introduced into a ferroalloy electric submerged arc furnace, and may consist of, but is not limited to, ores, slag, carbonaceous material, and limestone.

2.40 - "Tapping" means the removal of product and slag from a ferroalloy electric submerged arc furnace under normal operating conditions, such as removal of metal under normal pressure and movement by gravity down the spout into a ladle.

2.41 - "Blowing tap" means any tap associated with ferroalloy submerged arc furnace in which an evolution of gas forces or projects jets of flame or metal sparks beyond the ladle, runner, or collection hood."

2.42 - "Poling" shall mean pushing a log timber into the furnace taphole to clear slag from the furnace tapping channel associated with operation of a ferroalloy electric submerged arc furnace."

2.43 "Oxygen lancing" shall mean the burning open of a taphole to remove slag or product from the taphole associated with operations of a ferroalloy electric submerged arc furnace.

4.15.a. No person shall cause, suffer, allow or permit the discharge of particulate matter in excess of 48.6 pounds per hour from all collection stacks in existence at any plant on June 1, 1993 which produces fiberglass insulation or other fiberglass products using the flame attenuation method.

b. The owner or operator of any facility subject to the requirements of this subsection shall submit a certified registration within sixty (60) days of the effective date of this rule which sets forth specific emission rates for all collection stacks through which particulate matter is discharged, provided that the total allowable emission rate set forth under paragraph

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4.15.a. is not exceeded and further provided that the particulate matter concentration discharged shall not exceed 0.018 gr/dscf from any collection stack. Owners and operators of source operations subject to this subsection shall not be precluded from requesting approval of changes to its registration provided that compliance is demonstrated with the stack gas concentration limit and total allowable particulate matter emission rate set forth under this subsection.

c. Source operations subject to this subsection shall not be subject to the other provisions of Section 4 except for subsections 4.2, 4.3 and 4.14.

5.3 - The provisions of Sections 3.1, 3.2, and 5.1 shall not apply to particulate matter emitted from the operation of a ferroalloy electric submerged arc furnace in existence prior to June 1, 1993 during blowing taphole events, poling, and oxygen lancing operations. Poling emissions shall not exceed five (5) minutes in duration during any poling operation.