

**WEST VIRGINIA AIR QUALITY BOARD  
CHARLESTON, WEST VIRGINIA**

**ROXUL USA, INC., d/b/a  
ROCKWOOL,**

**Appellant,**

**v.**

**Appeal No. 23-01-AQB**

**DIRECTOR, DIVISION OF  
AIR QUALITY, DEPARTMENT  
OF ENVIRONMENTAL  
PROTECTION,**

**Appellee,**

**and**

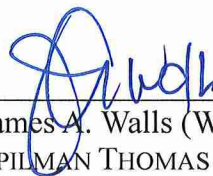
**JEFFERSON COUNTY  
FOUNDATION, INC., et al.,**

**Intervenors.**

**ROCKWOOL'S NOTICE OF DISMISSAL  
OF ITS APPEAL OF PERMIT CONDITION 4.3.2**

On December 11, 2023, Appellant Roxul USA, Inc., d/b/a ROCKWOOL, filed a Notice of Appeal in this matter in which it appealed the following three Conditions in Modification Permit R14-0037A: (i) Condition 4.1.11, which requires all exterior doors be kept shut when not in use; (ii) Condition 4.1.5.a, which set, among other things, limits on PM<sub>2.5</sub> emissions from the Wet Electrostatic Precipitator ("WESP") at 33.6 tons per year, and 8.0 kg per hour; and (iii) Condition 4.3.2, which mandated retesting of equipment within 12 months. ROCKWOOL hereby dismisses its appeal of permit Condition 4.3.2. This dismissal of permit Condition 4.3.2 shall have no effect on ROCKWOOL'S ongoing appeal of permit Conditions 4.1.11 and 4.1.5.a.

**ROXUL USA, INC., d/b/a ROCKWOOL**



---

James A. Walls (WV Bar # 5175)  
SPILMAN THOMAS & BATTLE, PLLC  
48 Donley Street, Suite 800  
Morgantown, WV 26501  
Ph. 304.291.7947  
Fax 304.291.7979  
jwalls@spilmanlaw.com

David L. Yaussy (WV Bar # 4156)  
Joseph C. Unger (WV Bar # 13699)  
SPILMAN THOMAS & BATTLE, PLLC  
300 Kanawha Boulevard, East  
Charleston, WV 25301  
Ph. 304.340.3829  
Fax 304.340.3801  
dyaussy@spilmanlaw.com  
junger@spilmanlaw.com

**WEST VIRGINIA AIR QUALITY BOARD  
CHARLESTON, WEST VIRGINIA**

**ROXUL USA, INC., d/b/a  
ROCKWOOL,**

**Appellant,**

**v.**

**Appeal No. 23-01-**

**AQB**

**DIRECTOR, DIVISION OF  
AIR QUALITY, DEPARTMENT  
OF ENVIRONMENTAL  
PROTECTION,**

**Appellee,**

**and**

**JEFFERSON COUNTY  
FOUNDATION, INC., et al.,**

**Intervenors.**

**CERTIFICATE OF SERVICE**

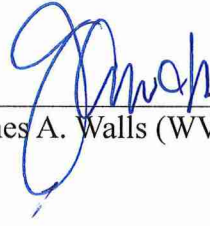
I hereby certify that on the 29th day of January, 2024, I caused the foregoing **ROCKWOOL'S NOTICE OF DISMISSAL OF ITS APPEAL OF PERMIT CONDITION 4.3.2** to be served upon the following parties by email and First Class United States mail:

Jason E. Wandling, Esquire  
Charles S. Driver, Esquire  
WVDEP - Office of Legal Services  
West Virginia Department of Environmental Protection  
601 57th Street, SE  
Charleston, WV 25304

WVDEP – Director, Division of Air Quality  
West Virginia Department of Environmental Protection  
601 57th Street, SE  
Charleston, WV 25304

Andrew C. Earley  
Fair Shake Environmental Legal Services  
232 Capitol Street, Ste. 14

Charleston, WV 25301



---

James A. Walls (WV Bar # 5175)

20591422