

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

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

FEB 07 2024

Appellant,

AIR QUALITY BOARD

v.

Appeal No. 23-01-AQB

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

Appellee,

and

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

Intervenors.

STIPULATIONS

Pursuant to 52CSR6.6, the parties, Roxul USA, Inc., d/b/a ROCKWOOL, Laura M. Crowder, Director, West Virginia Department of Environmental Protection, Division of Air Quality, Jefferson County Foundation, Inc., Karen Freer, Gavin Perry, and Sharon Wilt, hereby stipulate to the following facts:

1. ROCKWOOL owns and operates a stone wool insulation manufacturing facility in Ranson, Jefferson County, West Virginia, sometimes referred to as RAN-5.

2. DAQ¹ issued a pre-construction major source air pollution control permit to ROCKWOOL for the construction of RAN-5 (the "Pre-Construction Permit") on April 30, 2018.

¹ "DAQ" means or refers to the West Virginia Department of Environmental Protection's Division of Air Quality.

3. Under the Pre-Construction Permit, ROCKWOOL could burn either coal or natural gas to melt the rock and other materials to make stone wool insulation.

4. In the Pre-Construction Permit, RAN-5 was classified as a major stationary source because, in part, its potential to emit (“PTE”) exceeded 250 tons per year of volatile organic compounds (“VOC”).

5. ROCKWOOL began commercial operations at RAN-5 in July of 2021.

6. On October 3, 2022, ROCKWOOL submitted an application to modify the Pre-Construction Permit to eliminate certain coal-related permit conditions.

7. ROCKWOOL resubmitted its application for modification on May 22, 2023.

8. After a review and public comment period, DAQ issued Modification Permit R14-0037A (the “Modified Permit”) on November 16, 2023.

9. ROCKWOOL filed its Notice of Appeal in 23-01-AQB on December 11, 2023.

10. In 23-01-AQB, ROCKWOOL appeals the following two Conditions in the Modified Permit:²

- Condition 4.1.11, but not as it applies to the exterior doors in the charging building at RAN-5; and
- Condition 4.1.5.a, which sets, among other things, limits on PM_{2.5} emissions from the Wet Electrostatic Precipitator or WESP at 33.6 tons per year, and 8.0 kg per hour.

11. Permit Condition 4.1.11 provides, in its entirety, as follows: “All building doors shall remain closed except as necessary for people or material to enter or exit the building.”

12. Permit Condition 4.1.5.a. sets PM_{2.5} emissions limits from the Wet Electrostatic Precipitator stack (HE01) at RAN-5 at 33.60 tons per year and 8.0 kg per hour.

² In its Notice of Appeal, ROCKWOOL also appealed permit Condition 4.3.2. ROCKWOOL dismissed its appeal of permit Condition 4.3.2 on January 29, 2024.

13. JCF³ filed a Motion to Intervene in 23-01-AQB on January 5, 2024.
14. JCF filed its Notice of Appeal in 23-02-AQB on December 18, 2023.
15. In 23-02-AQB, JCF contends DAQ acted unlawfully in allowing RAN-5 to be regulated as a synthetic minor stationary source in the Modified Permit.
16. ROCKWOOL filed its Notice of Intervention in 23-02-AQB on or around January 12, 2024.

February 5, 2024

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³ “JCF” means or refers, collectively, to Jefferson County Foundation, Inc, Karen Freer, Gavin Perry, and Sharon Wilt.

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