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**west virginia** department of environmental protection

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Division of Air Quality  
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Harold D. Ward, Cabinet Secretary  
[dep.wv.gov](http://dep.wv.gov)

*Pursuant to §45-14-17.7, the Division of Air Quality presents the*

**FINAL DETERMINATION**

*for the*

**CONSTRUCTION**

*of*

**CMC Steel US, LLC  
CMC Steel West Virginia**

*proposed to be located near*

**Martinsburg, Berkeley County, WV.**

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**Permit Number: R14-0040  
Facility Identification Number: 003-00286**

**Date: June 30, 2023**

**Promoting a healthy environment.**

## **BACKGROUND INFORMATION**

Application No.: R14-0040  
Plant ID No.: 003-00286  
Applicant: CMC Steel US, LLC  
Facility Name: CMC Steel West Virginia  
Location: Near Martinsburg, Berkeley County  
SIC/NAICS Code: 3317/331210  
Application Type: Major Source Construction  
Received Date: January 3, 2023 (Original Application)  
March 24, 2023 (Revised Application)  
May 10, 2023 (Second Revised Application)  
Engineer Assigned: Joseph R. Kessler, PE  
Fee Amount: \$14,500  
Date Received: January 4, 2023  
Complete Date: May 12, 2023  
Due Date: November 8, 2023  
Applicant Ad Date: January 5, 2023  
Newspaper: *The Journal*  
UTM's: Easting: 251.73 km • Northing: 4,380.50 km • Zone: 18  
Latitude/Longitude: 39.53829/-77.88892  
Description: Construction of a new micro mill with associated support operations to produce long steel products at a maximum production rate of 650,000 tons/year.

On May 19, 2023, the West Virginia Division of Air Quality (DAQ) went to public notice in *The Journal* with a preliminary determination to issue the Prevention of Significant Deterioration (PSD) permit R14-0040 to CMC Steel US, LLC (CMC) for the proposed construction of a new sheet steel mill near Martinsburg, Berkeley County, WV. On this date, pursuant to §45-13-8.7 and §45-14-13.3, a copy of the preliminary determination, draft permit, and public notice was forwarded to USEPA Region III, the National Park Service (NPS) and the US Forest Service (USFS). A copy of the application, complete file, preliminary determination and draft permit was made available for public review on the DAQ's website. Additionally, pursuant to §45-14-17.5, a copy of the public notice was sent to the County Clerk of Berkeley County, WV, the mayor's office of Martinsburg, WV, the Maryland Department of the Environmental, and the Virginia Department of Environmental Quality. Pursuant to §45-13-9 and §45-14-18, a virtual public meeting was held on Tuesday, June 6, 2023, to receive comments on the permitting action. Comments on the preliminary determination and the draft permit were required to be submitted by 5:00 PM on June 21, 2023.

This document will summarize the comments received on the draft permit, any actions taken as a result of the comments, any substantive changes to the draft permit, and the final determination of the DAQ regarding R14-0040.

## **COMMENTS RECEIVED**

### *Public Comments*

During the public comment period, the DAQ received comments (not including comments from EPA) from fourteen (14) individuals and comments from the Jefferson County Foundation (JCF). All of the comments, with the exception of one (1) individual, were submitted via e-mail. The other comment was received via post. The comment received via post was responded to also via certified post (no e-mail address was given) on June 28, 2023. Responses to all of the remaining comments have been prepared, and will be sent out with notification of the issuance of the final permit. Changes to the draft permit that were made in response to these comments are detailed below. All comments and responses have been placed online (both under the “Popular Searches” tab and on the Application Xtender database) at the link given below in this document.

### *Public Meeting*

A virtual public meeting was held on June 6, 2023 to provide information on the proposed CMC Steel Mill project, to answer questions concerning the permitting action, and to receive oral comments on the permitting action. A slide show presentation was given to provide information about the project and the permitting process. Questions asked during the meeting were answered at that time. Formal comments were made in the meeting only by the JCF and a response to these comments were rolled into the response to the JCF comments received via e-mail. A copy of the full public meeting registration list, a copy of the presentation, and the full transcript of the meeting have been placed online (both under the “Popular Searches” tab and on the Application Xtender database) at the link given below in this document.

### *EPA Comments*

On June 20, 2023, USEPA Region III submitted (via e-mail) comments on the both the draft permit/preliminary determination and on the air dispersion modeling report. These comments were evaluated and responded to with an attached signed document via e-mail on June 23, 2023. Changes to the draft permit that were made in response to these comments are detailed below. The EPA comments and the DAQ response have been placed online (both under the “Popular Searches” tab and on the Application Xtender database) at the link given below in this document.

## **CHANGES TO DRAFT PERMIT**

The following changes were made to the draft permit. The reason for the specific change is as indicated.

- *JCF Comment I: [4.2.4.]* The CEMS data retention requirement was increased from three (3) years to five (5) years and additional language was added to clarify the procedures to notify the DAQ of an exceedance based on CEMS data.
- *EPA Comments I(A): [4.3.6]* An annual slag testing requirement for metals was added to the permit.

- *JCF Oral Comments, Individual Comments:* [4.3.7.] A requirement was added to require performance testing to validate the emission factors used to determine the emissions of mercury, chromium, and manganese from Emission Point BH1.
- *JCF Comment I:* [4.5.1(a)] Language was added to clarify what CEMS data was required to be submitted on a biannual basis.

## **DOCUMENTS/NOTIFICATIONS**

Upon the Director's acceptance of this final determination, a copy of the final determination, final permit, and the updated "IPR Files" folder (which includes all comments submitted) will be made available for review on DAQ's website (both on the page linked below under the "Popular Searches" tab and on the Application Xtender database) accessible at:

<https://dep.wv.gov/daq/permitting/Pages/NSR-Permit-Applications.aspx>

Additionally, notification of the issuance of the permit shall be sent to the applicant, EPA, Federal Land Managers (FLMs), and all those who provided written or oral comments on the permitting action.

## **FINAL DETERMINATION**

It is the view of the writer, in consultation with Jon McClung (who reviewed the air dispersion modeling report), that after consideration of all comments received, all available information indicates CMC Steel US, LLC's proposed construction of a new micro steel mill near Martinsburg, Berkeley County, WV, will meet the emission limitations and conditions set forth in the final permit and will comply with all currently applicable state and federal air quality management rules and standards. It is, therefore, the recommendation of the undersigned that the DAQ issue Permit Number R14-0040.

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Joseph R. Kessler, PE  
Engineer

R14-0040  
CMC Steel US, LLC  
CMC Steel West Virginia