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Mr. Mark Feldmeier
The Paul Wissmach Glass Company, Inc.
420 Stephen Street
Paden City, WV 26157

USEPA Subpart SSSSSS Requirement for Glass Plant Operations
EXEMPTION FOR STAIN GLASS OPERATION UTILIZING POT FURNACES
THE PAUL WISSMACH GLASS CO., INC.

Dear Mr. Feldmeier:

MSES consultants, inc. (MSES) was retained by The Paul Wissmach Glass Company, Inc. (PWG) to conduct a review of plant operations with respect to USEPA Subpart SSSSSS (CFR Part 63.11448) requirements for Glass Plant Operations. MSES has previously performed environmental projects for PWG and is familiar with the manufacturing operations conducted there in the production of Stained Glass.

The PWG facility began operations in the early 1900's and the process has had minimal changes since the 1960's. The facility's air permit status is "Grandfathered" since it was in existence prior to the Regulation 13 Construction permit regulation that was adopted by West Virginia in the early 1970's.

MSES reviewed the USEPA Subpart SSSSSS requirement for Glass Plant Operations. Subpart SSSSSS became effective in 2009. MSES understands that the state of Oregon and USEPA have determined that other similar Stained Glass production facilities located in Oregon were in violation of Subpart SSSSSS even though those facilities use pot furnaces for the melting of the raw materials used to produce their stained glass. On December 26, 2007 the final rule for USEPA Subpart SSSSSS "Requirement for Glass Plant Operations" was published in the Federal Register and as previously stated it became effective in 2009. In 2007 MSES had other small Art Glass clients as well as PWG who were utilizing Pot Furnaces and Day Tanks for the production of glass. MSES researched the Subpart SSSSSS Final Rule at that time and through the USEPA response to comments and rationale presented in the final rule determined that the continuous furnace definition is not applicable to pot furnaces and day tanks in that these melting vessels are manually charged during brief periods during the day with no means for continuous charging as defined in the Final Rule (see Attachment A which is an excerpt of the Final Rule which contains discussion about continuous furnaces). Section B. Area Source NESHAP for Glass Manufacturing, item 1. Summary of Changes Since Proposal Applicability (page 73182) specifically states that "***We have revised the applicability criteria of the rule in 40 CFR Part 63.11448 to clarify that periodic or pot furnaces are not part of the source category. The final rule applies only to glass manufacturing plants that operate continuous furnaces*****.....**"

In addition page 73168, section B, 1.0 Definition of Source Category states "***Therefore, we have revised 40 CFR Part 63.11448 to specify that periodic or pot furnaces are not subject to the final Glass Manufacturing Area Source NESHAP."*** The next sentence states "We believe this revision will address most of the concerns of the stained glass manufacturing sector as well as other artisans, schools, studios, and other small facilities that produce glass using periodic furnaces.

It appears that USEPA, in response to the question for Oregon, has not utilized the Final Rule in their interpretation of the applicability of the Continuous Furnace definition to Periodic Furnaces which are discussed/referred to in the Final Rule as Pot Furnaces.

With respect to the PWG operations their glass melting is limited to periodic furnaces (pots and day tanks) which are well defined in the Final Rule as discussed above and as provided in Attachment A as exempt from the regulation.

MSES suggests this information be provided to WVDEP, DAQ in that the Final Rule for such regulations is often not referenced when determining applicability of regulations to a specific industry segment. In this case it is necessary to reference the rule based on US EPA's recent interpretation of the definition of a continuous furnace which is adverse to the Final Rule discussion. With a refreshed review of the final rule information, WVDEP, DAQ will be able to make informed decisions with respect to the applicability of USEPA Subpart SSSSSS requirement for Glass Plant Operations.

If additional information is desired, please contact me.

Respectfully Submitted,

John J. Keeling, PE, QEP