

December 1, 2005

Mr. Ron Hartwell
Plant Manager
Ethan Allen Operations, Inc. - Pine Valley Division
Post Office Drawer 639
Old Fort, North Carolina 28762-0639

Dear Mr. Hartwell:

SUBJECT: Air Quality Permit No. 03913T21
Facility ID: 5600036
Ethan Allen Operations, Inc. - Pine Valley Division
Old Fort
McDowell County
Fee Class: Title V

In order to correct the required date for the annual compliance certification from January 30th to March 1st as provided in Condition P of the General Conditions in Part I, Section 3 of your Title V permit, the permit has been administratively amended. We are forwarding herewith Air Quality Permit No. 03913T21 to Ethan Allen Operations, Inc. - Pine Valley Division, Highway 70E, Old Fort, McDowell County, North Carolina authorizing the operation as outlined in Part I, and the construction as outlined in Part II of the emission source(s) and associated air pollution control device(s) specified herein.

Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 2Q .0503 have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3 of Part I. **The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.**

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of

this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with **both** the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of GS 143-215-108(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of GS 143-215.108 and may subject the Permittee to civil or criminal penalties as described in GS 143-215.114A and 143-215.114B.

This Air Quality Permit shall be effective from December 1, 2005 until April 30, 2010, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Ms. Fern Paterson at (919) 715-6242.

Sincerely yours,

Laura S. Butler, P.E.
Chief

Enclosure

c: Greg Worley, EPA Region IV – permit only
Asheville Regional Office
Central Files

Attachment to Permit 03913T21, December 1, 2005

Insignificant Activities Listed Under 15A NCAC 2Q .0503

Emission Source Description	Regulation	Basis
One green pine lumber dip tank (ID No. ES-DT1)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
Two above ground No. 2 fuel oil storage tanks (20,000 gallons each; ID Nos. FT1 and FT2)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
Propane tanks (ID No. ES-PT)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
One green lumber planer cyclone (ID No. CD-GP)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
One above ground diesel storage tank (10,000 gallon; ID No. ES-FT3)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
One above ground diesel storage tank (1,000 gallon; ID No. ES-FT4)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
One above ground gasoline storage tank (1,000 gallon; ID No. ES-FT5)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year
One above ground diesel storage tank (275 gallon; ID No. ES-FT6)	15A NCAC 2Q .0503(8)	Potential uncontrolled emissions less than 5 tons per year

State of North Carolina,
Department of Environment,
and Natural Resources



Division of Air Quality

AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
03913T21	03913T20	December 1, 2005	April 30, 2010

Until such time as this permit expires or is modified or revoked, the below named Permittee is authorized to operate, as outlined in Part I, "Air Quality Federal Title V And State Operation Permit," and to construct, as outlined in Part II, "Air Quality State Construction Permit," the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 2D and 2Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 2Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee: Ethan Allen Operations, Inc. - Pine Valley Division
Facility ID: 5600036

Facility Site Location: Highway 70E
City, County, State, Zip: Old Fort, McDowell County, North Carolina 28762

Mailing Address: P.O. Box 639
City, State, Zip: Old Fort, North Carolina 28762-0639

Application Number: 5600036.05B
Complete Application Date: November 30, 2005
Renewal Application Due Date: July 30, 2009

Primary SIC Code: 2511
Division of Air Quality: Asheville Regional Office
Regional Office Address: 2090 US Highway 70
Swannanoa, North Carolina 28778

Permit issued this the 1st day of December, 2005

Laura S. Butler, P.E., Chief, Air Permits Section
By Authority of the Environmental Management Commission

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(Including specific requirements, testing, monitoring, recordkeeping, and reporting requirements)

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(Including specific requirements, testing, monitoring, recordkeeping, and reporting requirements)

SECTION 3: GENERAL PERMIT CONDITIONS

ATTACHMENT

List of Acronyms

PART II

This permit does not include a Part II.

PART I

The Division of Air Quality (DAQ), the United States Environmental Protection Agency (EPA), and citizens as defined under the Federal Clean Air Act have the authority to enforce the terms, conditions, and limitations contained in Part I of this permit unless otherwise specified.

Under Title 15A NCAC 2Q, the operation of emission source(s) and associated air pollution control device(s) and appurtenances listed in Part I of this permit is based on plans, specifications, operating parameters, and other information as submitted in the Air Quality Permit Application.

SECTION 1 - PERMITTED EMISSION SOURCE(S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE(S) AND APPURTENANCES

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES-B1	One wood fuel/solid finishing waste-fired boiler (55.0 million Btu per hour heat input; pneumatic stoker type without flyash reinjection)	CD-B1.1 and CD-B1.2	One multicyclone (56 nine-inch diameter tubes) flyash collector with a hopper sidestream multicyclone (4 nine-inch diameter tubes)
ES-B2	One No. 2 fuel oil-fired boiler (25 million Btu per hour heat input)	NA	NA
ES-F1 (MACT, Subpart JJ)	One wood furniture finishing operation consisting of: -nineteen dry filter-type spray booths (Nos. SB-1 through SB-19) -one wash-off tank (No. Wash-off) -five drying ovens (Nos. Stain oven A&B, Sealer oven, 3 rd Lac. Oven A&B, 1 st Lac. Oven, and Glaze oven) -one metal filter wash-off operation (No. ES-FW) -one gun washer operation (No. ES-GW) -one 34"x24"x12" hand dip tank, unvented (No. ES-DT) -finish pump room (No. ES-FP) -one 39"x24"x18" solvent tank for pump cleaning (No. ES-PC)	NA	NA
ES-WW1	Woodworking operations	CD-BF-1 through CD-BF-8	Eight bagfilters (1,155, 3,060, 3,060, 3,060, 2,680, 4,614, 3,060, and 948 square feet of filter area, respectively; all reverse flow type)
ES-G1 (MACT, Subpart JJ)	One gluing operation	NA	NA

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
Tank Farm*	Seven above ground vented organic liquid storage tanks (5,000, 4,000, 4,000, 2,000, 5,000, 4,000, and 2,000 gallon capacities, respectively)	NA	NA
ES-DK*	Lumber drying kilns	NA	NA

* Sources and/or control devices with no applicable requirements

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

2.1- Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) listed below are subject to the following specific terms, conditions, and limitations, including the monitoring, recordkeeping, and reporting requirements as specified herein:

A. One wood fuel/solid finishing waste-fired boiler (ID No. ES-B1) and associated multicyclone (ID No. CD-B1)

The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate Matter	$E_c = [(0.48)Q_w + (0.35)(Q_o)]/(Q_t)$ <p>Where E_c=emission limit (lb/million Btu) Q_w=actual wood heat input rate (million Btu/hour) Q_o=actual other fuel heat input rate (million Btu/hr) $Q_t=Q_w+Q_o$</p>	15A NCAC 2D .0504
Sulfur Dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521

1. 15A NCAC 2D .0504: PARTICULATES FROM WOOD BURNING INDIRECT HEAT EXCHANGERS

- a. The Permittee is allowed to burn solid finishing waste. The Permittee shall not combust finishing waste in amounts to exceed 100 pounds of solid finishing waste per hour.
- b. The Permittee shall maintain a daily log that includes the time and the actual weight (in pounds) of finishing waste injected into the boiler. Upon request the daily log shall be made available to DAQ staff.
- c. Emissions of particulate matter from this source (**ID No. ES-B1**) shall not exceed an allowable emission rate as calculated by the following equation: [15A NCAC 2D .0504]

$$E_c = [(0.48)Q_w + (0.38)Q_f]/(Q_w + Q_f)$$

Where: Q_w = actual wood heat input rate in Btu/hr
 Q_f = actual other fuel heat input rate in Btu/hr

Testing [15A NCAC 2D .0501(c)(3)]

- d. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limit(s) above by testing the wood fuel/solid finishing waste-fired boiler (**ID No. ES-B1**) for particulate matter with a testing protocol approved by the DAQ. Details of the emissions testing and reporting requirements can be found in Section 3 – General Condition JJ. Testing shall be completed and the results submitted by **April 30, 2009**, unless an alternate date is approved by the DAQ. If the results of this test are above the limit given in Section 2.1 A.1.c above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0504.

Monitoring [15A NCAC 2Q .0508(f)]

- e. Particulate matter emissions from the boiler (**ID No. ES-B1**) shall be controlled by the multicyclones (**ID Nos. CD-B1.1 and CD-B1.2**). To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement must include the following:
- i. a monthly external visual inspection of the system ductwork and material collection unit for leaks; and
 - ii. an annual (for each 12 month period from initial inspection) internal inspection of the multicyclone's structural integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0504 if the multicyclone and ductwork are not inspected and maintained.

Recordkeeping [15A NCAC 2Q .0508(f)]

- f. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- i. the date and time of each recorded action;
 - ii. the results of each inspection;
 - iii. a report of any maintenance performed on the multicyclone; and
 - iv. any variance from the manufacturer's recommendations, if any, and corrections made.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0504 if these records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- g. Within 30 days of a written request from the DAQ, the Permittee shall submit a report of any maintenance performed on the multicyclones (**ID Nos. CD-B1.1 and CD-B1.2**).
- h. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

2. 15A NCAC 2D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. ES-B1**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard. [15A NCAC 2D .0516]

Testing [15A NCAC 2D .0501(c)(4)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(4) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of wood fuel/solid finishing-waste in this boiler (**ID No. ES-B1**).

3. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this boiler (**ID No. ES-B1**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity. [15A NCAC 2D .0521(d)]

Testing [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

Monitoring [15A NCAC 2Q .0508(f)]

- c. To assure compliance, once a day the Permittee shall observe the emission points of this source (**ID No. ES-B1**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three (3) days of absent observations per semi-annual period. If visible emissions from this source (**ID No. ES-B1**) are observed to be above normal, the Permittee shall either:
- i. take appropriate action to correct the above-normal emissions within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
 - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .0501(c)(8) is below the limit given in Section 2.1 A.3.a above.
- If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

Recordkeeping [15A NCAC 2Q .0508(f)]

- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.
- The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521 if these records are not maintained.

Reporting [15A NCAC 2Q .0505(f)]

- e. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

B. One No. 2 fuel-fired boiler (ID No. ES-B2)

The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	0.35 pounds per million Btu heat input	15A NCAC 2D .0503
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521

1. 15A NCAC 2D .0503: PARTICULATES FROM FUEL BURNING INDIRECT HEAT EXCHANGERS

- a. Emissions of particulate matter from the combustion of No. 2 fuel oil that are discharged from this source (**ID No. ES-B2**) into the atmosphere shall not exceed 0.35 pounds per million Btu heat input. [15A NCAC 2D .0503]

Testing [15A NCAC 2D .0501(c)(3)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for particulate matter emissions from the firing of No. 2 fuel oil in this boiler (**ID No. ES-B2**).

2. 15A NCAC 2D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. ES-B2**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard. [15A NCAC 2D .0516]

Testing [15A NCAC 2D .0501(c)(4)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(4) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of No. 2 fuel oil in this boiler (**ID No. ES-B2**).

3. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. ES-B2**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity. [15A NCAC 2D .0521(d)]

Testing [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of No. 2 fuel oil in this boiler (**ID No. ES-B2**).

C. Woodworking operations (ID No. ES-WW1) consisting of separate group processes controlled by eight bagfilters (ID Nos. CD-BF1 through CD-BF8)

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulations
Particulate matter	Adequate duct work and properly designed collectors	15A NCAC 2D .0512
Visible emissions	20 percent opacity	15A NCAC 2D .0521

1. 15A NCAC 2D .0512: PARTICULATES FROM MISCELLANEOUS WOOD PRODUCTS FINISHING PLANTS

- a. The Permittee shall not cause, allow, or permit particulate matter caused by the working, sanding, or finishing of wood to be discharged from any stack, vent, or building into the atmosphere without providing, as a minimum for its collection, adequate duct work and properly designed collectors. In no case shall the ambient air quality standards be exceeded beyond the property line.

Monitoring [15A NCAC 2Q .0508(f)]

- b. Particulate matter emissions from the woodworking operations (**ID No. ES-WW1**) shall be controlled by eight bagfilters (**ID Nos. CD-BF1 through CD-BF8**). To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer, if any. As a minimum, the inspection and maintenance program shall include:
- monthly external inspection of the ductwork and bagfilters noting the structural integrity; and
 - annual (for each 12 month period following the initial inspection) internal inspection of the bagfilters noting the structural integrity and the condition of the filters.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0512 if the ductwork and bagfilters are not inspected and maintained.

Recordkeeping [15A NCAC 2Q .0508(f)]

- c. The results of inspection and maintenance for the bagfilters shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- the date and time of each recorded action;
 - the results of each inspection; and
 - the results of maintenance performed on any control device.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0512 if these records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- d. The Permittee shall submit the results of any maintenance performed on the control devices within 30 days of a written request by the DAQ.
- e. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

2. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from the woodworking operations (**ID No. ES-WW1**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity. [15A NCAC 2D .0521(d)]

Testing [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

Monitoring [15A NCAC 2Q .0508(c)(8)]

- c. To assure compliance, once a week the Permittee shall observe the emission points of this source (**ID No. ES-WW1**) for any visible emissions above normal. If visible emissions from this source (**ID No. ES-WW1**) are observed to be above normal, the Permittee shall either:
- take appropriate action to correct the above-normal emissions within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or

- ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .0501(c)(8) is below the limit given in Section 2.1 C.2.a above. If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

Recordkeeping [15A NCA C2Q .0508(f)]

- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.
 The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521 if these records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- e. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

D. Furniture finishing operation (ID No. ES-F1) including:

- **nineteen dry filter-type spray booths (Nos. SB-1 through SB-19)**
- **one wash-off tank (No. Wash-off)**
- **five drying ovens (Nos. Stain Oven A&B, Sealer Oven, 3rd Lac. Oven A&B, 1st Lac. Oven, and Glaze Oven)**
- **one gun washer operation (No. ES-GW)**
- **one metal filter wash-off operation (No. ES-FW)**
- **one 34"x24"x12" hand dip tank, unvented (No. ES-DT)**
- **finish pump room (No. ES-FP)**
- **one 39"x24"x18" solvent tank for pump cleaning (No. ES-PC)**

One gluing operation (No. G-1)

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulations
Particulate matter	Adequate duct work and properly designed collectors	15A NCAC 2D .0512
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Hazardous air pollutants	See Section 2.2 A	15A NCAC 2D .1111 (40 CFR 63, Subpart JJ)

1. 15A NCAC 2D .0512: PARTICULATES FROM MISCELLANEOUS WOOD PRODUCTS FINISHING PLANTS

- a. The Permittee shall not cause, allow, or permit particulate matter caused by the working, sanding, or finishing of wood to be discharged from any stack, vent, or building into the atmosphere without providing, as a minimum for its collection, adequate duct work and properly designed collectors. In no case shall the ambient air quality standards be exceeded beyond the property line.

Monitoring [15A NCAC 2Q .0508(f)]

- b. Particulate matter emissions from the spray booths (**ID Nos. SB-1 through SB-19**) shall be controlled by adequate ductwork and properly designed collectors. To assure compliance, the Permittee shall perform inspections and maintenance. As a minimum, the inspection and maintenance program shall include:
 - i. weekly inspection of the spray booths' dry type filters noting the condition; and
 - ii. annual (for each 12 month period following the initial inspection) inspection of the associated ductwork noting structural integrity.The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0512 if the filters and ductwork are not inspected and maintained.

Recordkeeping [15A NCAC 2Q .0508(f)]

- c. The results of inspection and maintenance for the spray booths shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each inspection; and
 - iii. the results of maintenance performed on any filters.The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0512 if these records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- d. The Permittee shall submit the results of any maintenance performed on the filters or ductwork within 30 days of a written request by the DAQ.
- e. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

2. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from the furniture finishing operation including the spray booths (**ID Nos. SB-1 through SB-19**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity. [15A NCAC 2D .0521(d)]

Testing [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 D.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

Monitoring [15A NCAC 2Q .0508(c)(8)]

- c. To assure compliance, once a month the Permittee shall observe the emission points of this source for any visible emissions above normal. If visible emissions from this source are observed to be above normal, the Permittee shall either:
 - i. take appropriate action to correct the above-normal emissions within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
 - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .0501(c)(8) is below the limit given in Section 2.1 D.2.a above.If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

Recordkeeping [15A NCA C2Q .0508(f)]

- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;

- ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.
- The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521 if these records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- e. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

E. Sources with no applicable requirements including:

- **lumber drying kilns (ID No. DK-1)**
- **seven organic liquid storage tanks (ID No. Tank Farm)**

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulations
None	No applicable requirements	None

2.2- Multiple Emission Source(s) Specific Limitations and Conditions

A. Affected Source – All facilities subject to 40 CFR Part 63, Subpart JJ: NATIONAL EMISSIONS STANDARD FOR WOOD FURNITURE MANUFACTURING OPERATIONS

- **One furniture finishing operation (ID No. ES-F1) including:**
 - **nineteen dry filter-type spray booths (Nos. SB-1 through SB-19)**
 - **one wash-off tank (No. Wash-off)**
 - **five drying ovens (Nos. Stain Oven A&B, Sealer Oven, 3rd Lac. Oven A&B, 1st Lac. Oven, and Glaze Oven)**
 - **one gun washer operation (No. ES-GW)**
 - **one metal filter wash-off operation (No. ES-FW)**
 - **one 34"x24"x12" hand dip tank, unvented (No. ES-DT)**
 - **finish pump room (No. ES-FP)**
 - **one 39"x24"x18" solvent tank for pump cleaning (No. ES-PC)**
- **One gluing operation (ID No. ES-G1)**

APPLICABILITY

1. The wood furniture manufacturing operation (**ID No. ES-F1**) and gluing operation (**ID No. ES-G1**) shall comply with all requirements of 15A NCAC 2D .1111 "Maximum Achievable Control Technology" and 40 CFR Part 63, Subpart JJ "National Emission Standards for Wood Furniture Manufacturing Operations." [40 CFR 63.800]

DEFINITIONS AND NOMENCLATURE [40 CFR 63.801]

2. For the purpose of this permit condition the definitions and nomenclature contained in 40 CFR 63.801 shall apply.

REGULATED POLLUTANTS [40 CFR 63.801]

3. Volatile Hazardous Air Pollutants (VHAPs), Volatile Organic Compounds (VOCs), and Organic HAP solvent shall have the meaning as defined in 40 CFR 63.801.

GENERAL PROVISIONS

4. The Permittee shall comply with the requirements of 40 CFR 63, Subpart A “General Provisions,” according to the applicability of Subpart A to such sources, as identified in Table 1 of 40 CFR 63, Subpart JJ.

WORK PRACTICE STANDARDS

5. The Permittee shall adhere to the work practice standards as specified by 40 CFR 63.803.
 - a. **Recordkeeping Requirements** – The Permittee shall prepare, maintain, and follow a written work practice implementation plan in accordance with 40 CFR 63.806(e) that defines environmentally desirable work practices for each wood furniture manufacturing operation and addresses each of the work practice standards specified in items (i) through (xi), below:
 - i. **Operator Training** – in accordance with 40 CFR 63.803(b).
 - ii. **Inspection and Maintenance Plan** – in accordance with 40 CFR 63.803(c).
 - iii. **Cleaning and wash-off solvent accounting system** – in accordance with 40 CFR 63.803(d).
 - iv. **Chemical composition of cleaning and wash-off solvents** – in accordance with 40 CFR 63.803(e).
 - v. **Spray booth cleaning** – in accordance with 40 CFR 63.803(f).
 - vi. **Storage requirements** – in accordance with 40 CFR 63.803(g).
 - vii. **Application equipment requirements** – in accordance with 40 CFR 63.803(h).
 - viii. **Line cleaning** – in accordance with 40 CFR 63.803(i).
 - ix. **Gun cleaning** – in accordance with 40 CFR 63.803(j).
 - x. **Wash-off operations** – in accordance with 40 CFR 63.803(k), and
 - xi. **Formulation assessment plan** – in accordance with 40 CFR 63.803(l).
 - b. **Reporting Requirements** – The Permittee shall submit the compliance status report to the Regional Supervisor in accordance with 40 CFR 63.804(f)(8) and 40 CFR 63.807(b). The Permittee shall submit semiannual reports to the Regional Supervisor in accordance with 40 CFR 63.804(g)(8) and 40 CFR 63.807(c). The Permittee shall follow the reporting requirements in 40 CFR 63.807(e) as required and 40 CFR 63.807(a) following the applicability criteria in 40 CFR 63.800(d).

FINISHING OPERATIONS

6. Per 40 CFR 63.804(a)(4), the Permittee has chosen to use both the compliant coatings and the facility averaging compliance options for the finishing operations (**ID No. ES-F1**). Compliance with each of these options is considered a separate **ALTERNATIVE COMPLIANCE SCENARIO (AOS)** and the Permittee, prior to using a known non-compliant coating, i.e., knowingly switching from the use of compliant coatings to facility averaging as a compliance scenario, shall record in a logbook (written or electronic format) the scenario under which it is operating.
 - a. **Emission Limits** – The Permittee shall either:
 - i. comply with all provisions of 40 CFR 63.802(a)(1) and 63.804(a)(2) as applicable to the finishing operations (**ID No. ES-F1**). All thinners, stains, washcoats, sealers, topcoats, basecoats, and enamels used at the facility shall meet the emission limitations as detailed in the following table:

Emission Source	Regulated Material	Emission Limitation
ES-F1	Thinners	10% by weight HAP
ES-F1	Stains, washcoats, sealers, topcoats, basecoats, and enamels	1.0 lb VHAP per lb solids (1.0 kg VHAP per kg solids), as applied
ES-F1	Washcoat, basecoat, or enamel formulated on-site	Coatings – 1.0 lb VHAP per lb solids (1.0 kg VHAP per kg solids) Thinners – 3.0% by weight VHAP

OR

- ii. comply with all provisions of 40 CFR 63.802(a)(1) and 63.804(a)(1) as applicable to the finishing operations (**ID No. ES-F1**). The weighted average VHAP content across all coatings, as applied, shall not exceed 1.0 lb VHAP per lb solids (1.0 kg VHAP per kg solids).

- b. **Compliance Procedures and Monitoring Requirements** – The Permittee shall either:
 - i. demonstrate that only compliant thinners are used and that all stains, washcoats, sealers, topcoats, basecoats, and enamels are compliant, as applied, in accordance with 40 CFR 63.804(g)(2) for noncontinuous coaters and 40 CFR 63.804(g)(3) for continuous coaters, if applicable.
OR
 - ii. demonstrate that the monthly average VHAP content for all finishing materials used at the facility is no greater than 1.0 lb VHAP per lb solids (1.0 kg VHAP per kg solids), as applied, in accordance with 40 CFR 63.804(g)(1).
- c. **Performance Test Method** – EPA Method 311 [40 CFR 63, Appendix A] shall be used to determine the VHAP content of liquid coatings in accordance with 40 CFR 63.805(a).
- d. **Recordkeeping Requirements** – The Permittee shall keep records in accordance with 40 CFR 63.806(a) following the applicability criteria in 40 CFR 63.800(d), 63.806(b)(1) and (b)(2), 63.806(h), 63.806(i), and 63.806(j) and either:
 - i. 63.804(g)(2-3) and 63.806(d) when complying with condition 2.2 A.6.a.i above,
OR
 - ii. 63.804(g)(1), 63.806(c), when complying with condition 2.2 A.6.a.ii above.
- e. **Reporting Requirements** – The Permittee shall submit the compliance status report to the Regional Supervisor in accordance with 40 CFR 63.807(b) and either: 40 CFR 63.804(f)(2), when complying with condition 2.2 A.6.a.i above, **OR** 40 CFR 63.804(f)(1), when complying with condition 2.2 A.6.a.ii above. The Permittee shall submit semiannual reports to the Regional Supervisor in accordance with 40 CFR 63.807(c) and **either**: 40 CFR 63.804(g)(2), when complying with condition 2.2 A.6.a.i above, **OR** 40 CFR 63.804(g)(1), when complying with condition 2.2 A.6.a.ii above. The Permittee shall follow the requirements in 40 CFR 63.807(a) following the applicability criteria in 40 CFR 63.800(d).

CLEANING OPERATIONS

- 7. a. **Emission Limits** – The Permittee shall comply with the limits of 40 CFR 63.802(a)(3) applicable to the strippable spray booths operations (**ID No. ES-F1**) as detailed in the following table:

Emission Source	Regulated Material	Emission Limitation
ES-F1	Strippable spray booth coatings	0.8 lb VOC per lb solids (or kg VOC per kg solids), as applied

- b. **Compliance Procedures and Monitoring Requirements** – The Permittee shall demonstrate that only compliant strippable spray booth coatings are used in accordance with 40 CFR 63.804(g)(7).
- c. **Performance Test Method** – EPA Method 311 [40 CFR 63 Appendix A] shall be used to determine the VHAP content of the liquid coatings in accordance with 40 CFR 63.805(a).
- d. **Recordkeeping Requirements** – The Permittee shall keep records in accordance with 40 CFR 63.806(a) following the applicability criteria in 40 CFR 63.800(d), 63.806(b)(1) and (b)(3), 63.806(h), 63.806(i), and 63.806(j).
- e. **Reporting Requirements** – The Permittee shall submit the compliance status report to the Regional Supervisor in accordance with 40 CFR 63.804(f)(7) and 63.807(b). The Permittee shall submit semiannual reports to the Regional Supervisor in accordance with 40 CFR 63.804(g)(7) and 63.807(c). The Permittee shall follow the reporting requirements in 40 CFR 63.807(a) following the applicability criteria in 40 CFR 63.800(d).

CONTACT ADHESIVE OPERATIONS

- 8. a. **Emission Limits** - The Permittee shall comply with all provisions per 40 CFR 63.802(a)(2) and 63.804(b-c) as applicable to the contact adhesive operations (**ID No. ES-G1**) as detailed in the table below:

Emission Source	Regulated material	Emission Limitation
ES-G1	Foam contact adhesives used in products which meet flammability requirements per California Technical Bulletin 116, 117, or 133, the Business and Institutional Furniture Manufacturers Association's (BIFMA's) X5.7, UFAC flammability testing, or any similar requirements from Local, State, or Federal fire regulatory agencies.	1.8 kg VHAP per kg solids (1.8 lb VHAP per lb solids), as applied
ES-G1	All other contact adhesives	1.0 kg VHAP per kg solids (1.0 lb VHAP per lb solids), as applied

- b. **Compliance Procedures and Monitoring Requirements** – When emission source (**ID No. ES-G1**) is using foam and other contact adhesives, the Permittee shall demonstrate that only compliant adhesives are used in accordance with 40 CFR 63.804(g)(5).
- c. **Performance Test Method** - EPA Method 311 [40 CFR Part 63 Appendix A] shall be used to determine the VHAP content of liquid coatings in foam and other contact adhesives in accordance with 40 CFR 63.805(a).
- d. **Recordkeeping Requirements** – When foam and other contact adhesives are used, the Permittee shall keep records in accordance with 40 CFR 63.806(a) following the applicability criteria in 40 CFR 63.800(d), 40 CFR 63.806(b)(1) and (b)(2), 63.806(h), 63.806(i), and 63.806(j).
- e. **Reporting Requirements** – When foam and other contact adhesives are used, the Permittee shall submit the compliance status report to the Regional Supervisor in accordance with 40 CFR 63.804(f)(5) and 40 CFR 63.807(b). When foam and other contact adhesives are used, the Permittee shall submit semiannual reports to the Regional Supervisor in accordance with 40 CFR 63.804(g)(5) and 40 CFR 63.807(c). When foam and other contact adhesives are used, the Permittee shall follow the requirements in 40 CFR 63.807(a) following the applicability criteria in 40 CFR 63.800(d).

B. Facility-wide emission sources of hazardous air pollutants

**1. 15A NCAC 2Q .0317: AVOIDANCE CONDITIONS
for 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**

- a. In order to remain classified a minor source for hazardous air pollutants and avoid applicability of this regulation, facility emissions shall be less than:
 - i. 10 tons per year of each hazardous air pollutant, and
 - ii. 25 tons per year of all hazardous air pollutants combined.

The Permittee shall be deemed in noncompliance with this condition and 15A NCAC 2D .1111 if the hazardous air pollutant emissions exceed this limit.

Monitoring/Recordkeeping [15A NCAC 2Q .0508(f)]

- b. The Permittee shall maintain consumption records of each material used containing hazardous air pollutants as follows:
 - i. quantity of individual hazardous air pollutants in pounds used by the facility each month and for the 12-month period ending on that month, and
 - ii. quantity of all hazardous air pollutants in pounds used by the facility each month and for the 12-month period ending on that month.
- c. The Permittee shall maintain a record of purchase orders and invoices of materials containing hazardous air pollutants. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these emissions are not monitored or records are not maintained.

Reporting [15A NCAC 2Q .0508(f)]

- d. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. The report shall contain the following:
 - i. the greatest quantity in pounds of an individual hazardous air pollutant used:
 - A. for each month during the six-month semi-annual period, and
 - B. for each 12-month period ending on each month during the six-month semi-annual period using a 17-month rolling total; and
 - ii. the pounds of all hazardous air pollutants used:
 - A. for each month during the six-month semi-annual period, and
 - B. for each 12-month period ending on each month during the six-month semi-annual period using a 17-month rolling total.

SECTION 3 - GENERAL CONDITIONS

This section describes terms and conditions applicable to this Title V facility. All references to the “permit” in this section apply only to Part I of the permit.

- A. **General Provisions** [NCGS 143-215 and 15A NCAC 2Q .0508(aa)]
 1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 2D and 2Q.
 2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
 3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
 4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
 5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
 6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.
- B. **Permit Availability** [15A NCAC 2Q .0507(k) and .0508(aa)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environment and Natural Resources upon request.
- C. **Severability Clause** [15A NCAC 2Q .0508(i)]

In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

D. **Submissions** [15A NCAC 2Q .0507(c)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance
North Carolina Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

E. **Duty to Comply** [15A NCAC 2Q .0508(j)]

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 2Q .0514]
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 2Q .0514.
2. Transfer of Ownership or Operation and Application Submittal Content [15A NCAC 2Q .0524 and 2Q .0505]
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 2Q .0524 and 2Q .0505.
3. Minor Permit Modifications [15A NCAC 2Q .0515]
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 2Q .0515.
4. Significant Permit Modifications [15A NCAC 2Q .0516]
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 2Q .0516.
5. Reopening for Cause [15A NCAC 2Q .0517]
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 2Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Section 502(b)(10) Changes [15A NCAC 2Q .0523(a)]
 - a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
 - b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
 - i. the changes are not a modification under Title I of the Federal Clean Air Act;
 - ii. the changes do not cause the allowable emissions under the permit to be exceeded;
 - iii. the Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and
 - iv. the Permittee shall attach the notice to the relevant permit.

- c. The written notification shall include:
 - i. a description of the change;
 - ii. the date on which the change will occur;
 - iii. any change in emissions; and
 - iv. any permit term or condition that is no longer applicable as a result of the change.
 - d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
2. Off Permit Changes [15A NCAC 2Q .0523(b)]

The Permittee may make changes in the operation or emissions without revising the permit if:

 - a. the change affects only insignificant activities and the activities remain insignificant after the change;
or
 - b. the change is not covered under any applicable requirement.
 3. Emissions Trading [15A NCAC 2Q .0523(c)]

To the extent that emissions trading is allowed under 15A NCAC 2D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 2Q .0523(c).

I.A. Reporting Requirements for Excess Emissions and Permit Deviations [15A NCAC 2D .0535(f) and 2Q .0508(f)(3)]

“Excess Emissions” - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 2D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 2Q .0700. (*Note: Definitions of excess emissions under 2D .1110 and 2D .1111 shall apply where defined by rule.*)

“Deviations” – for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .1111), or the operating permit provides for periodic (*e.g.*, quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .1111), or these rules do NOT define “excess emissions,” the Permittee shall report excess emissions in accordance with 15A NCAC 2D .0535 as follows:
 - a. Pursuant to 15A NCAC 2D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
 - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Standard Time of the Division’s next business day of becoming aware of the occurrence and provide:
 - name and location of the facility;
 - nature and cause of the malfunction or breakdown;
 - time when the malfunction or breakdown is first observed;
 - expected duration; and
 - estimated rate of emissions;
 - ii. notify the Regional Supervisor or Director immediately when corrected measures have been accomplished; and
 - iii. submit to the Regional Supervisor or Director within 15 days after the request a written report as described in 15A NCAC 2D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 2Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
 - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 2D .0535 on the next business day after becoming aware of the deviation. A written report shall be submitted within two business days to the Regional Supervisor and shall include the probable cause of such deviation and any corrective actions or preventative actions taken. All reports of deviations from permit requirements shall be certified by a responsible official.

I.B. Other Requirements under 15A NCAC 2D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 2D .0535, including 15A NCAC 2D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 2D .0535(c)(1) through (7).
2. Note that 15A NCAC 2D .0535(g) is state-enforceable only.

J. Emergency Provisions [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3 below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
 - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
 - b. the permitted facility was at the time being properly operated;
 - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
 - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. Permit Renewal [15A NCAC 2Q .0513(b)]

This permit is issued for a fixed term of five years for facilities subject to Title IV requirements and for a term not to exceed five years in the case of all other facilities. This permit shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete renewal application is submitted at least nine months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 2Q .0512(b)(1), this permit shall not expire until the renewal permit has been issued or denied. All terms and conditions of this permit shall remain in effect until the renewal permit has been issued or denied.

L. Need to Halt or Reduce Activity Not a Defense [15A NCAC 2Q.0508(k)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

M. Duty to Provide Information (submittal of information) [15A NCAC 2Q.0508(n)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 2Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 2Q .0508(f)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 2Q .0508(t)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street, Atlanta, GA 30303) postmarked on or before **March 1st** a compliance certification (for the preceeding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

Q. **Certification by Responsible Official** [15A NCAC 2Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

R. **Permit Shield for Applicable Requirements** [15A NCAC 2Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:
 - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
 - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
 - c. the applicable requirements under Title IV; or
 - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 2Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 2Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 2Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;

3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

T. **Insignificant Activities** [15A NCAC 2Q .0503]

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. **Property Rights** [15A NCAC 2Q .0508(m)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. **Inspection and Entry** [15A NCAC 2Q .0508(r) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
 - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
 - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
 - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

W. **Annual Fee Payment** [15A NCAC 2Q .0508(o)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 2Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environment and Natural Resources. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 2Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 2Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 2Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 2Q .0107 and 2Q .0508(n)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 2Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 2Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 2Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 2Q .0100 and .0300.

AA. Standard Application Form and Required Information [15A NCAC 2Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 2Q .0505 and .0507.

BB. Financial Responsibility and Compliance History [15A NCAC 2Q .0507(d)(3)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. Refrigerant Requirements (Stratospheric Ozone and Climate Protection) [15A NCAC 2Q .0501(e)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. Prevention of Accidental Releases - Section 112(r) [15A NCAC 2Q .0508(g)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. Prevention of Accidental Releases “General Duty” Clause - Section 112(r)(1) - FEDERALLY-ENFORCEABLE ONLY

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.

FF. Title IV Allowances [15A NCAC 2Q .0508(h)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

GG. Air Pollution Emergency Episode [15A NCAC 2D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 2D .0300.

HH. Registration of Air Pollution Sources [15A NCAC 2D .0200]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 2D .0202(b).

II. Ambient Air Quality Standards [15A NCAC 2D .0501(e)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 2D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. General Emissions Testing and Reporting Requirements [15A NCAC 2Q .0508(aa)]

If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ in support of a permit application, the Permittee shall perform such testing in accordance with the appropriate EPA reference method(s) as approved by the DAQ and follow the procedures outlined below. The Permittee must request **in writing** and receive approval from the DAQ for an alternate test method or procedure.

1. The Permittee shall submit a completed Protocol Submittal Form to the DAQ Regional Supervisor at least 45 days prior to the scheduled test date. A copy of the Protocol Submittal Form may be obtained from the Regional Supervisor.
2. The Permittee shall notify the Regional Supervisor of the specific test dates at least 15 days prior to testing in order to afford the DAQ the opportunity to have an observer on-site during the sampling program.
3. During all sampling periods, the Permittee shall operate the emission source(s) under maximum normal operating conditions or alternative operating conditions as deemed appropriate by the Regional Supervisor or his delegate.
4. The Permittee shall submit **two** copies of the test report to the DAQ. The test report shall contain at a minimum the following information:
 - a. a certification of the test results by sampling team leader and facility representative;
 - b. a summary of emissions results and text detailing the objectives of the testing program, the applicable state and federal regulations, and conclusions about the testing and compliance status of the emission source(s);
 - c. a detailed description of the tested emission source(s) and sampling location(s) process flow diagrams, engineering drawings, and sampling location schematics should be included as necessary;
 - d. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
 - e. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
 - f. documentation of facility operating conditions during all testing periods and an explanation relating these operating conditions to maximum normal operation. If necessary, provide historical process data to verify maximum normal operation.
5. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
6. The DAQ will review emission test results with respect exclusively to the specified testing objectives as proposed by the Permittee and approved by the DAQ. The use of the test results beyond the stated objectives remains subject to the approval of the DAQ.

KK. Reopening for Cause [15A NCAC 2Q .0517]

1. A permit shall be reopened and revised under the following circumstances:
 - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
 - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
 - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
 - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 2Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 2Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 2Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.

5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

LL. **Reporting Requirements for Non-Operating Equipment** [15A NCAC 2Q .0508(f)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. During operation the monitoring recordkeeping and reporting requirements as prescribed by the permit shall be implemented within the monitoring period.

ATTACHMENT

List of Acronyms

AOS	Alternate Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CAA	Clean Air Act
DAQ	Division of Air Quality
DENR	Department of Environment and Natural Resources
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAPS	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
OAH	Office of Administrative Hearings
PM	Particulate Matter
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
QIP	Quality Improvement Plan (40 CFR 64.8)
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound