

May 28, 2004

Mr. Roger Tooley  
President  
Flowers Baking Company of Jamestown, LLC.  
PO Box 819  
Jamestown, North Carolina 27282

Dear Mr. Tooley:

SUBJECT: Air Quality Permit No. **08250T04**  
Facility ID: 4100996  
Flowers Baking Company of Jamestown, LLC  
Jamestown, North Carolina  
Guilford County  
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for renewal of your Title V Permit received April 22, 2002, we are forwarding herewith Air Quality Permit No. **08250T04** to Flowers Baking Company of Jamestown, LLC, 801 West Main Street, Jamestown, North Carolina authorizing the operation, as outlined in Part I, "Air Quality Title V Operation Permit," and the construction and/or operation, as outlined in Part II, "Air Quality Construction and Operation Permit," 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.

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.

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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 the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714. 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. Failure to do so 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 May 28, 2004 until April 30, 2009, 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 Jeff Twisdale at (919) 715-6260.

Sincerely yours,

Laura S. Butler, P.E.  
Chief

Enclosure

c: Gregg Worley, EPA Region 4  
Winston-Salem Regional Office  
Central Files

## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
08250T04	08250T03	May 28, 2004	April 30, 2009

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 Title V Operation Permit," and to construct and operate, as outlined in Part II, "Air Quality Construction and Operation 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.

### Περμιττεε:

Φλωερσ 1/32 ακινγ 1/32 ομπανψ οφ  
θαμεστοων, ΛΛ 1/32

Φαχιλιτψ 3/64 Δ:

DPXXppV

Φαχιλιτψ Σιτε Λοχατιον:  
1/32 ιτψ, 1/32 ουνντψ, Στατε, 'ιπ.  
QUQxQ

xXP Ωεστ 1/64 αιν Στρεετ  
θαμεστοων, Γυιλφορδ 1/32 ουνντψ, 1/64 ορτη 1/32 αρολινα

1/64 αιλινγ 1/32 δδρεσσ:  
1/32 ιτψ, Στατε, 'ιπ.

Πιη 1/32 οξ xPp  
θαμεστοων, 1/64 ορτη 1/32 αρολινα QUxQx

1/32 ππλιχατιον 1/64 υμβερ:  
1/32 ομπλετε 1/32 ππλιχατιον Δατε:  
`ενεωαλ 1/32 ππλιχατιον Δυε Δατε:  
Πριμαρψ Σ 1/64 1/32 1/32 οδε:  
ΔιΜισιον οφ 1/32 ιρ Θυαλιτψ,  
`εγιοναλ πφφιχε 1/32 δδρεσσ:  
1/32 αρολινα QUpxU

DPXXppV.XQ 1/32  
1/32 πριλ QQ, QXXQ  
Θυλψ RP, QXXx  
QXCP  
Ωινστον-Σαλεμ `εγιοναλ πφφιχε  
CxC Ωαυγητων Στρεετ Ωινστον-Σαλεμ, 1/64 ορτη

Περμιτ ισσυεδ τηισ τηε Qxτη δαψ οφ 1/64 αψ, QXXD

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List of Acronyms

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PERMIT**

This permit does not contain a Part II.



## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

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

**A. 'ηρρε νατυραλ γασ-φιρεδ βρεαδ/βυν οΜενσ ( $\frac{3}{64}\Delta \frac{\%}{400}\sigma. \frac{1}{5/32}\Sigma - \bar{X}\bar{P}$ ,  $\frac{1}{5/32}\Sigma - \bar{X}\bar{Q}$  ανδ  $\frac{1}{5/32}\Sigma - \bar{X}\bar{R}$ )**

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	$E=4.10P^{0.67}$ where E = allowable emission rate in pounds per hour P = process weight in tons per hour	$\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{C}$
σουλφουρ διοξιδε	$\bar{Q} . \bar{R}$ πουνδσ περ μιλλιον $\frac{1}{32}$ τυ ηεατ ιντυτ	$\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{V}$
Μισιβλε εμισσιονσ	$\bar{Q} \bar{X}$ περχεντ οπαχιτυ - $\frac{1}{5/32}\Sigma - \bar{X}\bar{P}$ ανδ $\frac{1}{5/32}\Sigma - \bar{X}\bar{R}$	$\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{Q}\bar{P}$
	$\bar{D}\bar{X}$ περχεντ οπαχιτυ - $\frac{1}{5/32}\Sigma - \bar{X}\bar{Q}$	

**P.  $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{C}$ :  $\Pi^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32}} \Lambda^{\frac{5}{32} \frac{1}{5/32}\Sigma} \Phi^{\frac{1}{64} \frac{\%}{64} \frac{\%}{32} \frac{1}{5/32}\Sigma} \Lambda \Lambda^{\frac{5}{32} \frac{\%}{64} \frac{1}{5/32}\Sigma} \Sigma^{\frac{3}{64} \frac{\%}{64} \frac{1}{5/32}\Sigma} \Pi^{\frac{1}{64} \frac{\%}{32} \frac{1}{5/32}\Sigma} \Sigma^{\frac{1}{5/32}\Sigma}$**

- α.  $\frac{1}{5/32}$ μισσιονσ οφ παρτιχυλατε ματτερ φρομ τηισ σουρχε σηαλλ νοτ εξχεεδ αν αλλοωαβλε εμισσιον ρατε ασ χαλχυλατεδ βψ τηε φολλοωινγ εθνατιον: [ $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{C}(\alpha)$ ]

$$\frac{1}{5/32} = \bar{D} . \bar{P}\bar{X} \xi \Pi^{\bar{X}\bar{V}\bar{U}} \quad \Omega \eta \epsilon \rho \epsilon \quad \frac{1}{5/32} = \alpha \lambda \lambda \omega \alpha \beta \lambda \epsilon \epsilon \mu \iota \sigma \sigma \iota \omega \nu \rho \alpha \tau \epsilon \iota \nu \pi \omega \nu \nu \delta \sigma \pi \epsilon \rho \eta \omega \upsilon \rho$$

$$\Pi = \pi \rho \chi \epsilon \sigma \sigma \omega \epsilon \iota \gamma \eta \tau \iota \nu \tau \omicron \nu \sigma \pi \epsilon \rho \eta \omega \upsilon \rho$$

Λιθυιδ ανδ γασεουσ φυελσ ανδ χομβυστιον αιρ αρε νοτ χονσιδερεδ ασ παρτ οφ τηε προχεσσ ωειγητ.

**'εστινγ [ $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{X}\bar{P}(\chi)(\bar{R})$ ]**

- β.  $\frac{3}{64}$ φ εμισσιονσ τεστινγ ισ ρεθυιρεδ, τηε τεστινγ σηαλλ βε περφορμεδ ιν αχχορδανχε ωιτη Γενεραλ  $\frac{3}{32}$ ονδιτιον θθ.  $\frac{3}{64}$ φ τηε ρεσυλτσ οφ τηισ τεστ αρε αβοΜε τηε λιμιτ γιΜεν ιν Σεχτιον  $\bar{Q} . \bar{P}^{\frac{5}{32}} . \bar{P} . \alpha$ . αβοΜε, τηε Περμιττεε σηαλλ βε δεεμεδ ιν νονχομπλιανχε ωιτη  $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{C}$ .

**$\frac{1}{64}$ ονιτορινγ/εχορδκεστινγ/επορτινγ [ $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Theta . \bar{X}\bar{C}\bar{X}(\phi)$ ]**

- χ. 'ηε Περμιττεε σηαλλ μαινταιν προδυχτιον ρεχορδσ ωηιχη σπεχιφψ τηε τυπεσ οφ ματεριαλσ προχεσσεδ ανδ σηαλλ μακε τηεσε ρεχορδσ αΜαιλαβλε το α  $\frac{1}{5/32}\Theta$  αυτηοριζ'εδ ρεπρεσεντατιΜε υπον ρεθυεστ. 'ηε Περμιττεε σηαλλ βε δεεμεδ ιν νονχομπλιανχε ωιτη  $\bar{P}\bar{C}^{\frac{5}{32} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32}} \bar{Q} \Delta . \bar{X}\bar{C}\bar{P}\bar{C}$  ιφ τηε production records are not maintained or the types of materials are not monitored.

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

- a. Emissions of sulfur dioxide from these sources 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 found in Section 3. 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 natural gas in these sources.

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

- a. Visible emissions from the ovens ( $\frac{3}{64}\Delta \frac{1}{64}\sigma$ ,  $\frac{1}{32}\Sigma - \overline{X\overline{P}}$  ανδ  $\frac{1}{32}\Sigma - \overline{X\overline{R}}$ ) σηαλλ νοτ βε μορε τηαν  $\overline{Q\overline{X}}$  περχεντ οπαχιτψ ωην α $\overline{M}$ εραγεδ ο $\overline{M}$ ερα σιζ-μινυτε περιοδ.  $\frac{1}{64}\omega\epsilon\overline{M}$ ερ, σιζ-μινυτε α $\overline{M}$ εραγινγ περιοδσ μαψ εζχεεδ  $\overline{Q\overline{X}}$  περχεντ νοτ μορε τηαν ονχε ιν ανψ ηουρανδ νοτ μορε τηαν φουρ τιμεσ ιν ανψ  $\overline{Q\overline{D}}$  - ηουρ περιοδ.  $\frac{3}{64}\nu$  ο ε $\overline{M}$ εντ σηαλλ τηε σιζ-μινυτε α $\overline{M}$ εραγε εζχεεδ  $\overline{P\overline{U}}$  περχεντ οπαχιτψ. [ $\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{Q\overline{P}}}}(\delta)$ ]

- β. ρισιβλε εμισσιονσ φρομ τηε ο $\overline{M}$ εν ( $\frac{3}{64}\Delta \frac{1}{64}\sigma$ ,  $\frac{1}{32}\Sigma - \overline{X\overline{Q}}$ ) σηαλλ νοτ βε μορε τηαν  $\overline{D\overline{X}}$  περχεντ οπαχιτψ ωην α $\overline{M}$ εραγεδ ο $\overline{M}$ ερα σιζ-μινυτε περιοδ.  $\frac{1}{64}\omega\epsilon\overline{M}$ ερ, σιζ-μινυτε α $\overline{M}$ εραγινγ περιοδσ μαψ εζχεεδ  $\overline{D\overline{X}}$  περχεντ νοτ μορε τηαν ονχε ιν ανψ ηουρανδ νοτ μορε τηαν φουρ τιμεσ ιν ανψ  $\overline{Q\overline{D}}$  - ηουρ περιοδ.  $\frac{3}{64}\nu$  ο ε $\overline{M}$ εντ σηαλλ τηε σιζ-μινυτε α $\overline{M}$ εραγε εζχεεδ  $\overline{P\overline{X}}$  περχεντ οπαχιτψ. [ $\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{Q\overline{P}}}}(\chi)$ ]

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

- χ.  $\frac{3}{64}\phi$  εμισσιονσ τεστινγ ισ ρεθυιρεδ, τηε τεστινγ σηαλλ βε περφορμεδ ιν αχχορδανχε ωιτη  $\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{X\overline{P}}}}(\chi)(\kappa)$  ανδ Γενεραλ  $\frac{1}{32}$ ονδιτιον θθ.  $\frac{3}{64}\phi$  τηε ρεσυλτσ οφ τηισ τεστ αρε αβο $\overline{M}$ ε τηε λιμιτ γι $\overline{M}$ εν ιν Σεχτιον  $\overline{Q\overline{P}}^{\frac{5}{32}} \cdot \overline{R}$ . α. ( $\frac{3}{64}\Delta \frac{1}{64}\sigma$ , ES-01 and ES-03) οr β. ( $\frac{3}{64}\Delta \frac{1}{64}\sigma$ ,  $\frac{1}{32}\Sigma - \overline{X\overline{Q}}$ ) αβο $\overline{M}$ ε, τηε Περμιττεε σηαλλ βε δεεμεδ ιν νονχομπλιανχε with 15A NCAC 2D .0521.

**Monitoring/Recordkeeping/Reporting** [ $\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Theta}} \cdot \overline{X\overline{C\overline{X}}}$ ( $\phi$ )]

- d. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in these sources.

**B. Two flour storage silos (ID Nos. ES-SL3 and ES-SL4) and associated bagfilters (ID Nos. SL3FFS1, CD-SL3FFS2, CD-SL4FFS1 and CD-SL4FFS2)**

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	For P ≤ 30 tons per hour: $\frac{1}{32} = \overline{D\overline{P\overline{X\overline{I\overline{P}}}}^{\overline{V\overline{U}}}$ Φορ Π > $\overline{R\overline{X}}$ τονσ περ ηουρ: $\frac{1}{32} = \overline{C\overline{C}} \cdot \overline{X\overline{I\overline{P}}}$ - $\overline{D\overline{X}}$ ωηερε $\frac{1}{32} =$ αλλοωαβλε εμισσιον ρατε ιν πουνδσ περ ηουρ Π = προχεσσ ωειγητ ιν τονσ περ ηουρ	$\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{P\overline{C}}}}$
Μισιβλε εμισσιονσ	$\overline{Q\overline{X}}$ περχεντ οπαχιτψ	$\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{Q\overline{P}}}}$

$\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{P\overline{C}}}}$ :  $\frac{1}{32} \nu \frac{1}{64} \frac{1}{32} \Lambda^{\frac{5}{32}} \frac{1}{32} \Phi \cdot \frac{1}{64} \frac{1}{64} \frac{1}{64} \Sigma^{\frac{1}{32}} \frac{1}{32} \Lambda^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \pi \Sigma \frac{1}{64} \frac{1}{64} \Delta \Sigma \frac{1}{64} \frac{1}{32} \Lambda$   
 $\frac{1}{32} \frac{1}{32} \frac{1}{32} \Sigma \frac{1}{32} \Sigma$

- α.  $\frac{1}{32}$ μισσιονσ οφ παρτιχυλατε ματτερ φρομ τηεσε σουρχεσ σηαλλ νοτ εζχεεδ αν αλλοωαβλε εμισσιον ρατε ασ χαλχυλατεδ βψ τηε φολλοωινγ εθυατιον: [ $\overline{P\overline{C}}^{\frac{5}{32}} \frac{1}{64} \frac{1}{32} \frac{1}{32} \frac{1}{32} \overline{Q\overline{\Delta}} \cdot \overline{X\overline{C\overline{P\overline{C}}}}(\alpha)$ ]

For P ≤ 30 tons per hour:  $1\frac{5}{32} = \overline{D} \cdot \overline{P} \overline{X} \overline{I} \overline{I}^{\overline{X} \cdot \overline{V} \overline{U}}$

Φορ Π >  $\overline{R} \overline{X}$  τονσ περ ηουρ:  $1\frac{5}{32} = \overline{C} \overline{C} \cdot \overline{X} \overline{I} \overline{I}^{\overline{X} \cdot \overline{P} \overline{P}} - \overline{D} \overline{X}$

Ωηερε  $1\frac{5}{32} =$  αλλοωαβλε εμισσιον ρατε ιν πουνδσ περ ηουρ

Π = προχεσσ ωειγητ ιν τονσ περ ηουρ

Λιθυιδ ανδ γασεουσ φυελσ ανδ χομβυστιον αιρ αρε νοτ χονσιδερεδ ασ παρτ οφ τηε προχεσσ ωειγητ.

**εστινγ** [ $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Delta \cdot \overline{X} \overline{C} \overline{X} \overline{P} (\chi)(\overline{R})$ ]

- β.  $\frac{3}{64}$ φ εμισσιονσ τεστινγ ισ ρεθυιρεδ, τηε τεστινγ σηαλλ βε περφορμεδ ιν αχχορδανχε ωιτη Γενεραλ  $\frac{\%}{32}$ ονδιτιον θθ.  $\frac{3}{64}$ φ τηε ρεσυλτσ οφ τηισ τεστ αρε αβο $\overline{M} \epsilon$  τηε λιμιτ γι $\overline{M} \epsilon$ ν ιν Σεχτιον  $\overline{Q} \cdot \overline{P}^{\frac{\%}{32}} \cdot \overline{P} \cdot \alpha$ . αβο $\overline{M} \epsilon$ , τηε Περμιττεε σηαλλ βε δεεμεδ ιν νονχομπλιανχε ωιτη  $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Delta \cdot \overline{X} \overline{C} \overline{P} \overline{C}$ .

**μονιτορινγ/εχορδκεεπινγ** [ $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Theta \cdot \overline{X} \overline{C} \overline{X} \alpha(\phi)$ ]

- χ. Παρτιχυλατε ματτερ εμισσιονσ φρομ τηε στοραγε σιλοσ σηαλλ βε χοντρολλεδ βψ τηε ρεσπεχτι $\overline{M} \epsilon$  βαγφιλερσ. 'ο ασσυρε χομπλιανχε, τηε Περμιττεε σηαλλ περφορμ ινσπεχτιονσ ανδ μαιντενανχε ασ ρεχομμενδεδ βψ τηε μανυφαχτυρερ.  $\frac{3}{64}$ ν αδδιτιον το τηε μανυφαχτυρερ'σ ινσπεχτιον ανδ μαιντενανχε ρεχομμενδατιονσ, ορ ιφ τηερε ισ νο μανυφαχτυρερ'σ ινσπεχτιον ανδ μαιντενανχε ρεχομμενδατιονσ, ασ α μινιμυμ, τηε ινσπεχτιον ανδ μαιντενανχε ρεθυιρεμεντ σηαλλ ινχλυδε τηε φολλοωινγ:

- ι. α μοντηλψ  $\overline{M} \iota$ συαλ ινσπεχτιον οφ τηε σψστειμ δυχτωορκ ανδ ματεριαλ χολλεχτιον υνιτ φορ λεακσ, ανδ
- ιι. αν αννυαλ (φορ εαχη  $\overline{P} \overline{Q}$  μοντη περιοδ φολλοωινγ τηε ινιτιαλ ινσπεχτιον) ιντερναλ ινσπεχτιον οφ τηε βαγφιλερ $\frac{\%}{32}$ σ στρυχτυραλ ιντεγριτυ.
- 'ηε Περμιττεε σηαλλ βε δεεμεδ ιν νονχομπλιανχε ωιτη  $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Delta \cdot \overline{X} \overline{C} \overline{P} \overline{C}$  ιφ τηε δυχτωορκ ανδ βαγφιλερσ αρε νοτ ινσπεχτεδ ανδ μαινταινεδ.
- δ. 'ηε ρεσυλτσ οφ ινσπεχτιον ανδ μαιντενανχε σηαλλ βε μαινταινεδ ιν α λογβοοκ (ωριπτεν ορ ελεχτρονιχ φορματ) ον-σιτε ανδ μαδε α $\overline{M} \alpha$ ιλαβλε το αν αυτηοριζεδ ρεπρεσεντατι $\overline{M} \epsilon$  υπον ρεθυεστ. 'ηε λογβοοκ σηαλλ ρεχορδ τηε φολλοωινγ:
- ι. τηε δατε ανδ τιμε οφ εαχη ρεχορδεδ αχτιον;
- ιι. τηε ρεσυλτσ οφ εαχη ινσπεχτιον;
- ιιι. τηε ρεσυλτσ οφ ανψ μαιντενανχε περφορμεδ ον τηε βαγφιλερσ, ανδ  $\overline{M} \alpha$  ανψ  $\overline{M} \alpha$ ριανχε φρομ μανυφαχτυρερ'σ ρεχομμενδατιονσ, ιφ ανψ, ανδ χορρεχτιονσ μαδε.
- The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if these records are not maintained.

**επορτινγ** [ $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Theta \cdot \overline{X} \overline{C} \overline{X} \alpha(\phi)$ ]

- ε. 'ηε Περμιττεε σηαλλ συβμιτ τηε ρεσυλτσ οφ ανψ μαιντενανχε περφορμεδ ον τηε βαγφιλερσ ωιτη ιν  $\overline{R} \overline{X}$  δαψσ οφ α ωριπτεν ρεθυεστ βψ τηε  $\Delta^{\frac{5}{32}} \Theta$ .
- φ. 'ηε Περμιττεε σηαλλ συβμιτ α συμμαρψ ρεπορτ οφ μονιτορινγ ανδ ρεχορδκεεπινγ αχτι $\overline{M} \iota$ εισ ποστμαρκεδ ον ορ βεφορε θανναρψ  $\overline{R} \overline{X}$  οφ εαχη χαλενδαρ ψεαρ φορ τηε πρεχεδινγ σιξ-μοντη περιοδ βετωεεν θυλψ ανδ Δεχεμπερ ανδ θυλψ  $\overline{R} \overline{X}$  οφ εαχη χαλενδαρ ψεαρ φορ τηε πρεχεδινγ σιξ-μοντη περιοδ βετωεεν θανναρψ ανδ θυνε.  $\frac{5}{32}$ λλ ινστανχεσ οφ δε $\overline{M} \alpha$ ιτιονσ φρομ τηε ρεθυιρεμεντσ οφ τηισ περμιτ μυστ βε χλεαρλψ ιδεντιφιεδ.

## **$\overline{Q}$ . 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSION**

- a. Visible emissions from the storage silos shall not be more than 20 περχεντ οπαχιτυψ ωηεν α $\overline{M} \epsilon$ ραγεδ ο $\overline{M} \epsilon$ ρ α σιξ-μινυτε περιοδ.  $\frac{1}{64}$ οωε $\overline{M} \epsilon$ ρ, σιξ-μινυτε α $\overline{M} \epsilon$ ραγινγ περιοδσ μαψ εξχεεδ  $\overline{Q} \overline{X}$  περχεντ νοτ μορε τηαν ονχε ιν ανψ ηουρ ανδ νοτ μορε τηαν φουρ τιμεσ ιν ανψ  $\overline{Q} \overline{D}$ -ηουρ περιοδ.  $\frac{3}{64}$ ν νο ε $\overline{M} \epsilon$ ντ σηαλλ τηε σιξ-μινυτε α $\overline{M} \epsilon$ ραγε εξχεεδ π $\overline{U}$  περχεντ οπαχιτυψ. [ $\overline{P} \overline{C}^{\frac{5}{32}} \frac{\%}{64} \frac{\%}{32} \frac{\%}{32} \frac{\%}{32} \overline{Q} \Delta \cdot \overline{X} \overline{C} \overline{Q} \overline{P}(\delta)$ ]

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

- β. 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.2.a. above, the Permittee shall be deemed in νονχομπλιανχε with 15A NCAC 2D .0521.

~~1/440v1topivv~~ [P̄C<sup>5/32</sup> %64<sup>9/32</sup>5/32<sup>9/32</sup> Q̄Θ .X̄C̄X̄x(φ)]

- χ. To assure compliance, once a week during loading the Permittee shall observe the emission points of these sources for any visible emissions above normal. If visible emissions from these sources are observed to be above normal, the Permittee shall either: (a) be deemed to be in noncompliance with 15A NCAC 2D .0521 or (b) 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 B.2.a. above. If the demonstration in (b) 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. 'ηε ρεσυλτσ οφ τηε μονιτορινγ σηαλλ βε μαινταινεδ ιν α λογβουκ (ωριπτεν ορ ελεχτρονιχ φορματ) ον-σιτε ανδ μαδε αΜαιλαβλε το αν αυτηοριζεδ ρεπρεσεντατιΜε υπον ρεθυεστ. 'ηε λογβουκ σηαλλ ρεχορδ τηε φολλοωινγ:
- i. τηε δατε ανδ τιμε οφ εαχη ρεχορδεδ αχτιον;
  - ii. τηε ρεσυλτσ οφ εαχη οβσερΜατιον ανδ/ορ τεστ νοτινγ τηοσε σουρχεσ ωιτη εμισσιονσ τηατ ωερε οβσερΜεδ το βε ιν νονχομπλιανχε αλονγ ωιτη ανψ χορρεχτιΜε αχτιονσ τακεν το ρεδυχε Μισιβλε εμισσιονσ; ανδ
  - iii. τηε ρεσυλτσ οφ ανψ χορρεχτιΜε αχτιονσ περφορμεδ.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521 if these records are not maintained.

**επορτινγ** [P̄C<sup>5/32</sup> %64<sup>9/32</sup>5/32<sup>9/32</sup> Q̄Θ .XCXx(φ)]

- e. The Permittee shall submit a summary report of the observations postmarked on or before January R̄X οφ εαχη χαλενδαρ ψεαρ φορ τηε πρεχεδινγ σιζ-μοντη περιοδ βετωεεν θυλψ ανδ Δεχεμβερ ανδ θυλψ R̄X οφ εαχη χαλενδαρ ψεαρ φορ τηε πρεχεδινγ σιζ-μοντη περιοδ βετωεεν θανναρψ ανδ θυνε. <sup>5/32</sup>λλ ινστανχεσ οφ δεΜιατιονσ φρομ τηε ρεθυιρεμεντσ οφ τηισ περμιτ μυστ βε χλεαρλψ ιδεντιφιεδ.

## 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 [15A NCAC 2Q .0524]  
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 2Q .0524.
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"** - any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions, but not including excess emissions as defined above.

**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 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, if requested, to the Regional Supervisor or Director within 15 days after the request a written report as described in 15A NCAC 2D .0535(f)(3).

**Other Notification Requirements**

3. Pursuant to 15A NCAC 2Q .0508(f)(3), the Permittee shall report deviations or excess emissions lasting for less than or equal to four hours 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 **January 30** 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. 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;
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source, currently and over the reporting 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 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.

**ΔΔ. ΠρεΜεντιον οφ %32χχιδενταλ `ελεασεσ - Σεχτιον ΡΡQ(ρ)** [P̄C<sup>5/32</sup> %64<sup>9/32</sup> %32<sup>5/32</sup> Q̄Θ .X̄C̄X̄κ(γ)]  
 %64φ τηε Περιμιττεε ισ ρεθυιρεδ το δεΜελοπ ανδ ρεγιστερα `ισκ %64αναγεμεντ Πλαν ωιτη<sup>1/32</sup> Π<sup>5/32</sup> πυρσναντ το Σεχτιον ΡΡQ(ρ) οφ τηε %32λεαν %32ιρ %32χτ, την τηε Περιμιττεε ισ ρεθυιρεδ το ρεγιστερ τηισ πλαν ιν αχχορδανχε ωιτη D̄X̄ %32Φ` Παρτ V̄κ.

<sup>1/32</sup>1<sup>5/32</sup>. **ΠρεΜεντιον οφ %32χχιδενταλ `ελεασεσ "Γενεραλ Δυτω" %32λαυσε - Σεχτιον ΡΡQ(ρ)(P̄) -**  
 Φ<sup>1/32</sup>Δ<sup>1/32</sup> %32<sup>5/32</sup> ΛΛΨ -<sup>1/32</sup> %64Φπ<sup>9/32</sup> %32<sup>5/32</sup> %32<sup>7/32</sup> Λ<sup>1/32</sup> π<sup>9/64</sup> ΛΨ  
 %32λτηουγη α ρισκ μαναγεμεντ πλαν μαψ νοτ βε ρεθυιρεδ, ιφ τηε Περιμιττεε προδυχεσ, προχεσσεσ, ηανδλεσ, ορ σπορεσ ανψ αμουντ οφ α λιστεδ ηαζαρδουσ συβστανχε, τηε Περιμιττεε ηασ α γενεραλ δυτω το τακε συχη στεπσ ασ αρε νεχεσσαρψ το πρεΜεντ τηε αχχιδενταλ ρελεασε οφ συχη συβστανχε ανδ το μινιμιζε τηε χονσεθυενχεσ οφ ανψ ρελεασε.

**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

<b>AOS</b>	Alternate Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>Btu</b>	British thermal unit
<b>CEM</b>	Continuous Emission Monitor
<b>CFR</b>	Code of Federal Regulations
<b>CAA</b>	Clean Air Act
<b>DAQ</b>	Division of Air Quality
<b>DENR</b>	Department of Environment and Natural Resources
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>HAP</b>	Hazardous Air Pollutant
<b>MACT</b>	Maximum Achievable Control Technology
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>OAH</b>	Office of Administrative Hearings
<b>PM</b>	Particulate Matter
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound

**ATTACHMENT to Air Quality Permit No. 08250T04  
for Flowers Baking Company of Jamestown, LLC**

**Insignificant Activities List**

<b>ID No.</b>	<b>Emission Source Description</b>	<b>Exemption Regulation</b>	<b>Applicability to Exemption</b>
IA-B1	Natural gas-fired boiler (4.2 million Btu per hour heat input)	15A NCAC 2Q .0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants
IA-B2	Natural gas-fired boiler (8.4 million Btu per hour heat input)	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants
IA-VJP	Four video jet printers	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants or 1,000 pounds per year of any HAPs.
IA-SIP	Three squid ink printers	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants or 1,000 pounds per year of any HAPs.
IA-PW	Parts Washer	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants or 1,000 pounds per year of any HAPs.
IA-DP	Depanner (Total of 3 units)	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants.
IA-FRS	Flour Reclaim System (Total of 3 units)	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants.
IA-BFS	Bulk Flour System (Total of 3 units)	15A NCAC 2Q.0503(8)	Potential emissions do not exceed 5 tons per year of criteria pollutants.