

July 25, 2007

Mr. James Reynolds
Solid Waste Director
North Wake County Landfill
P.O. Box 550
Raleigh, North Carolina 27602

Dear Mr. Reynolds:

SUBJECT: Air Quality Permit No. 08890T03
Facility ID: 9200593
North Wake County Landfill
Raleigh
Wake County
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for a 502(b)(10) modification in accordance with 15A NCAC 2Q .0523, of a Title V permit received June 13, 2007, we are forwarding herewith Air Quality Permit No. 08890T03 to the North Wake County Landfill, located at 9004 Deponie Drive, Raleigh, North Carolina authorizing the construction and operation, 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(8) 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.**

The Permittee shall notify the Director and EPA with written notification at least seven days before the "change is made" pursuant to 15A NCAC 2Q .0523(a)(1)(C) for the air emission source (ID No CD-2).

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.

Mr. James Reynolds
July 25, 2007
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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 **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. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

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 143-215-108A(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 143-215.108A 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 **July 25, 2007** until **June 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 Booker T. Pullen, Jr., E.I.T. at (919) 715-6248.

Sincerely yours,

Donald R. van der Vaart, Ph.D., P.E.,
Chief

Enclosure

c: Raleigh Regional Office
Central Files

ATTACHMENT to Permit No. 08890T03

Insignificant Activities Under 15A NCAC 2Q .0503 (8)

Source	Insignificant Regulation	Source of TAPs?	Source of Title V Pollutants?
One emergency generator (60 kVA, ID No. I-1)	2Q .0503 (8)	Yes	Yes
Leachate pond (2.3 million gallon capacity, 45,000 sq. ft of surface area, ID No. I-2)	2Q .0503 (8)	No	No
Closed waste disposal unit (ID No. I-3)	2Q .0503 (8)	No	No

Changes to existing permit No. 08890T02 per this application (9200593.07A)

Old Page No.	New Page No.	Condition No.	Changes
Cover Letter			
Page 1	Page 1	Heading and body of letter	Revised: issue date, permit number, “complete application received date”, type of modification description.
Page 2	Page 2	Heading and body of letter	Revised: date of letter, effective date of permit,
Page 3	Page 3	Table	Revised the “changes to the Permit” table to reflect this modification
Part I Operation Permit			
Page 1	Page 1	Cover page	Revised: Permit No., “replaces permit” No., effective date of permit, removed the “renewal date”, permit issue date, application No. name of Permits Chief,
Page 2	Page 2	Table of Contents	Added Part II Section
Page 3	Page 3	Permitted Sources Table	Added “temporary flare description”, added footnote **
Page 4-8	Page 4-8	Specific Limitations and Conditions (2.1 A)	Added “temporary flare description” to source description and applicable regulations
N/A	Pages 19-21	Part II Section	Added Specific Conditions and General Condition for a Part II Section to add the “temporary flare”

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

Division of Air Quality



AIR QUALITY PERMIT

Permit No.	Replaces Permit No.	Effective Date	Expiration Date
08890T03	08890T02	July 25, 2007	June 30, 2010

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate 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: North Wake County Landfill
Facility ID: 9200593

Facility Site Location: 9004 Deponie Drive
City, County, State, Zip: Raleigh, Wake County, NC, 27615

Mailing Address: P.O. Box 550
City, State, Zip: Raleigh, NC 27602

Application Number: 9200593.07A
Complete Application Date: June 13, 2007

Primary SIC Code: 4953
Division of Air Quality, Raleigh Regional Office
Regional Office Address: 3800 Barrett Drive
Raleigh, NC 27609

Permit issued this the 25th day of July, 2007

Donald R. van der Vaart, Ph.D., 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)
- SECTION 3: GENERAL PERMIT CONDITIONS

ATTACHMENT
List of Acronyms

PART II

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- SECTION 2: SPECIFIC LIMITATIONS AND CONDITIONS
- SECTION 3: GENERAL PERMIT CONDITIONS

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

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES-1 and ES-2 (NSPS/MACT)	Municipal closed sanitary waste landfill (ES-1; 1.4 million megagrams capacity) Municipal active sanitary waste landfill (ES-2; 4.0 million megagrams capacity)	CD-GCCS1, CD-1 CD-2 ** * Boiler (ID No. 1) (NSPS)	One landfill gas collection system (ID No. GCCS1) with: one landfill gas-fired candlestick-type flare (38.0 million Btu per hour heat input capacity, ID No. CD-1), one landfill gas-fired candlestick-type “temporary” flare (30.9 million Btu per hour heat input capacity), and one landfill gas treatment system One landfill gas-fired boiler (34.0 million Btu per hour heat input capacity)

* This boiler is owned by and physically located on the adjacent property of Mallinckrodt Chemical Company, and is operated by Raleigh Steam Producers, LLC (Permit No. 08361, Facility ID No. 9200588). North Wake County Landfill does not exercise control over the boiler, and it is listed for informational purposes only.

** This control device (ID No. CD-2) is listed as a 502(b)(10) change per 15A NCAC 2Q .0523. The permit shield described in General Condition R does not apply.

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) 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. Municipal solid waste landfill (ID Nos. ES-1 and ES-2) with associated landfill gas collection system (ID No. CD-GCCS1) including one gas treatment system, one candlestick-type flare (38.0 million Btu per hour heat input capacity, ID No. CD-1), and one candlestick-type “temporary” flare (30.9 million Btu per hour heat input capacity, ID No. CD-2)**

Regulated Pollutant	Limits/Standards	Applicable Regulation
Nonmethane organic compounds (NMOC)	Route landfill gas to a flare designed in accordance with 40 CFR Part 60, §60.18, or Route the collected landfill gas to a treatment system that processes the collected gas for subsequent sale or use	15A NCAC 2D .0524 40 CFR Part 60, Subpart WWW
Sulfur dioxide	<i>AOS - landfill gas routed to flare</i> 2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	<i>AOS - landfill gas routed to flare</i> 20 percent opacity	15A NCAC 2D .0521
Odorous emissions	Apply suitable odor control measures [State-enforceable only]	15A NCAC 2D .1806
Hazardous air pollutants	Operation standards, start up and shut down plan	15A NCAC 2D .1111 40 CFR Part 63, Subpart AAAA
Toxic air pollutants	Modeled emission rates [State-enforceable only]	15A NCAC 2D .1100
	Toxics demonstration [State-enforceable only]	15A NCAC 2Q .0705 Last MACT, toxics demonstration

POS= Primary Operating Scenario (landfill gas to boiler that is owned by Mallinckrodt Chemical Co.)

AOS=Alternative Operating Scenario (landfill gas to flares)

1. **15A NCAC 2D .0524, 40 CFR Part 60, Subpart WWW “NEW SOURCE PERFORMANCE STANDARDS”**
 - a. Emissions of nonmethane organic compounds (NMOCs) from the landfill (ID Nos. ES-1 and ES-2) shall be controlled by a gas collection and control system (ID Nos. CD-GCCS1, CD-1, and CD-2) that reduces NMOC emissions by **98 weight percent**, or when a closed combustion device is used, reduces the outlet NMOC concentration to **less than 20 parts per million by volume** on a dry basis as hexane at three percent oxygen, or route the collected gas to a treatment system that processes the collected gas for subsequent sale or use.

Monitoring [15A NCAC 2D .0524, 40 CFR §60.756]

- b. The Permittee shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead, and:
 - i. Measure the gauge pressure in the gas collection header on a monthly basis as provided in 40 CFR §60.755(a)(3);
 - ii. Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in 40 CFR §60.755(a)(5);
 - iii. Monitor temperature of the landfill gas on a monthly basis as provided in §60.755(a)(5); and
 - iv. Monitor surface concentrations of methane along the entire perimeter of the collection area (or site-specific established spacing) for each collection area on a quarterly basis in accordance with 40 CFR §60.755(c).
- c. The Permittee shall calibrate, maintain, and operate according to the manufacture's recommendations the following equipment when using an enclosed combustor to comply with this Subpart:
 - i. A device that records flow to or bypass of the control device. The Permittee shall either install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or secure the bypass valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.
- d. The Permittee who is seeking to install a collection system that does not meet the specifications in 40 CFR §60.759 or seeking to monitor alternative parameters to those required by 40 CFR §60.753 through §60.756 shall provide information satisfactory to the EPA as provided in §60.752(b)(2)(i)(B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures.

Recordkeeping [15A NCAC 2D .0524, 40 CFR §60.758]

- e. The Permittee shall keep for at least five years, up-to-date, readily accessible, on-site records (written or electronic) of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within four hours.
- f. The Permittee shall keep up-to-date, readily accessible records for the life of the control equipment of the data measured during the initial performance test or compliance determination. Records of subsequent tests shall be maintained for a minimum of five years. Records of control device vendor specifications shall be maintained until removal. Control equipment data shall include the maximum expected gas generation flow rate, the density of wells, horizontal collectors, surface collectors, or other gas extraction devices.
- g. The Permittee shall keep for the life of the control system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.
- h. The Permittee shall keep up-to-date, readily accessible continuous records of the equipment operating parameters specified in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.
- i. The Permittee shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors. Documentation shall be kept of the nature, date of deposition, amount, and location of asbestos-containing or non-degradable waste excluded from collection as well as any nonproductive areas excluded from production.

- j. The Permittee shall keep for at least five years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

Reporting [15A NCAC 2D .0524, 40 CFR §60.757]

- k. The Permittee shall submit semi-annual reports of the recorded information for the gas collection and control system as follows: [40 CFR §60.757(f)]
 - i. Value and length of time for exceedance of applicable parameters monitored under 40 CFR §60.756(a), (b), (c), and (d).
 - ii. Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified in 40 CFR §60.756.
 - iii. Description and duration of all periods when the control device was not operating for a period exceeding one hour and length of time the control device was not operating.
 - iv. All periods when the collection system was not operating in excess of five days.
 - v. The location of each exceedance of the 500 parts per million methane concentration and the concentration recorded at each location for which an exceedance was recorded in the previous month.
 - vi. The date of installation and the location of each well or collection system expansion added in accordance with 40 CFR §60.755(a)(3), (b), and (c)(4).
- l. The Permittee shall submit a **summary report** of monitoring and recordkeeping activities by 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.

Alternate operating scenario (landfill gas to flares)

2. 15A NCAC 2D .0516 "Sulfur Dioxide Emissions From Combustion Sources"

- a. Emissions of sulfur dioxide from the candlestick-type flares (ID Nos. CD-1 & CD-2) 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 [15A NCAC 2Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for sulfur dioxide emissions from the candlestick-type flares (ID Nos. CD-1 & CD-2) while firing landfill gas.

Alternate operating scenario (landfill gas to flares)

3. 15A NCAC 2D .0521 "Control Of Visible Emissions"

- a. The candlestick-type flares (ID Nos. CD-1 and CD-2) was installed at the landfill after July 1, 1971, and is therefore subject to 15A NCAC 2D .0521(d). Per this regulation visible emissions shall not be more than **20 percent opacity each** when averaged over a six-minute period except that six-minute periods averaging more than 87 percent opacity may occur not more than once in any hour nor more than four times in any 24-hour period.

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(d).

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

- c. No monitoring, recordkeeping, or reporting is required for visible emissions from the candlestick-type flares (ID Nos. CD-1 and CD-2) while firing landfill gas.

4. 15A NCAC 2D .1806 "Control And Prohibition Of Odorous Emissions" [State-enforceable only]

The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

5. 15A NCAC 2D .1111, 40 CFR Part 63, Subpart AAAA: National Emission Standards for Hazardous Air Pollutants, Municipal Solid Waste Landfills

Applicability

- a. North Wake County Landfill (ID Nos. ES-1 and ES-2) shall comply with all requirements of 15A NCAC 2D .1111 "Maximum Achievable Control Technology" and 40 CFR Part 63, Subpart AAAA "National Emission Standards for Hazardous Air Pollutant, Municipal Solid Waste Landfills" [40 CFR, §63.1935]

Definitions and Nomenclature [40 CFR, §63.1990]

- b. For the purpose of this permit condition, the definitions and nomenclature contained in 40 CFR, 63, §1990 shall apply.

REGULATED POLLUTANTS [40 CFR, §63.2]

- c. Hazardous Air Pollutant (HAP) means any air pollutant listed in or pursuant to section 112(b) of the Clean Air Act. [40 CFR §63.2]

40 CFR Part 63 Subpart A "GENERAL PROVISIONS"

- d. 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 40 CFR Part 63, Subpart AAAA, §63.1935.

Compliance dates [40 CFR Part 63, §63.1945]

- e. The Permittee (North Wake County Landfill) is an **existing affected area source** in accordance with 40 CFR Part 63, §63.1935 (a)(3). An area source is by definition a landfill that is not major due to the annual emission rate of HAPs, but one that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m³) and has estimated uncontrolled emissions equal to or greater than 50 megagrams per year (Mg/yr) NMOC emissions. This facility shall be in compliance with this regulation by the date this landfill is required to install a collection and control system in accordance with 40 CFR §60.752(b)(2) of the New Source Performance Standards, Subpart WWW. [§ 63.1945]

Monitoring [40 CFR Part 63, §63.1955 and §63.1960]

- f. Compliance with this Subpart (AAAA) is determined in accordance with the New Source Performance Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitor, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR §60.756(c)(1) and (d) of Subpart WWW, are used to demonstrate compliance with the operating conditions for control systems.

The Permittee must develop a written Start-Up/Shutdown/Malfunction (SSM) plan according to the provision in 40 CFR 63.6(e)(3). A copy of the SSM shall be maintained on site.

For the purposes of this rule, **deviation** means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- i. fails to meet any requirement or obligation established by this subpart, including, but not limited to, any emissions limitation (including any operating limit) or work practice standard;
- ii. fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit;
- iii. fails to meet any emission limitation, (including any operating limit), or work practice standard in this subpart during SSM, regardless of whether or not such failure is permitted by this subpart; or
- iv. fails to write, develop, or maintain a copy of the SSM plan.

If a deviation occurs, the Permittee has failed to meet the control device operating conditions describe in this subpart and have deviated from the requirements of this subpart.

Recordkeeping/Reporting Requirements [40 CFR Part 63, §63.1980]

- g. Keep records and reports as specified in the general provisions of 40 CFR Part 60, and in Subpart WWW, except the semi-annual report described in 40 CFR §60.757(f) shall be submitted every 6 months.

Any time an action taken during a startup, shutdown and malfunction event is not consistent with the startup, shutdown, and malfunction plan, and applicable NESHAP emission limitations were exceeded, the source shall report actions taken within **2 working days** after commencing such action, followed by a letter within **7 working days** after the event.

STATE-ONLY REQUIREMENT:

- 6. **15A NCAC 2Q .0705 “Existing Facilities And SIC Calls”,**
15A NCAC 2D .1100 “Control Of Toxic Air Pollutants”

Toxic Air Pollutant Emissions Limitation And Requirements - Pursuant to 15A NCAC 2Q .0705 and in accordance with the approved application for an air toxic compliance demonstration, the following permit limits **shall not be exceeded** in accordance with 15A NCAC 2D .1100:

Emission Sources	Toxic Air Pollutants	Emission Limits	
Municipal solid waste landfill (ID Nos. ES-1 and ES-2)	Benzene	94.76 lbs per year	----- -
	Hydrogen sulfide	----- -	4.749 lbs per day
	Vinyl chloride	168.76 lbs per year	----- -

7. 15A NCAC 2Q .0711 “Emission Rates Requiring A Permit”

TOXIC AIR POLLUTANT EMISSIONS LIMITATION REQUIREMENT – Pursuant to 15A NCAC 2Q .0705, the North Wake County Landfill (ID Nos. ES-1 and ES-2), shall be operated and maintained in such a manner that emissions of any listed toxic air pollutants from the facility, including fugitive emissions, will not exceed the “Emission Rates Requiring A Permit” specified in 15A NCAC 2Q .0711. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the toxic air pollutant emissions do not exceed the emission rates as listed below. In the event one (1) or more of these thresholds are exceeded, compliance with 15A NCAC 2D. 1100 shall be demonstrated.

Pollutant (CAS Number)	Threshold (lbs/yr)	Threshold (lbs/day)	Threshold (lbs/hr)
1,1,1-Trichloroethane (Methyl chloroform)	-----	250	64
1,1,2,2-Tetrachloroethane	430	-----	-----
1,1-Dichloroethene (Vinylidene chloride)	-----	2.5	-----
1,2-Dichloroethane (Ethylene dichloride)	260	-----	-----
Acrylonitrile	10	-----	-----
Carbon disulfide	-----	3.9	-----
Carbon tetrachloride	460	-----	-----
Chlorobenzene	-----	46	-----
Chloroform	290	-----	-----
p-Dichlorobenzene	-----	-----	16.8
Dichlorodifluoromethane	-----	5200	-----
Dichlorofluoromethane	-----	10	-----
Dichloromethane (Methylene chloride)	1600	-----	0.39
Ethyl mercaptan (Ethanethiol)	-----	-----	0.025
Ethylene dibromide	27	-----	-----
Hydrogen chloride	-----	-----	0.18
Mercury	-----	0.013	-----
Methyl ethyl ketone	-----	78	22.4
Methyl isobutyl ketone	-----	52	7.6
Methyl mercaptan	-----	-----	0.013
n-hexane	-----	23	-----
Perchloroethylene (Tetrachloroethene)	13000	-----	-----
Toluene	-----	98	14.4
Trichloroethylene (Trichloroethene)	4000	-----	-----
Trichlorofluoromethane	-----	-----	140
Xylenes	-----	57	16.4

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(i)(16)]
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(i)(9)(B)]
- 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)(2)]
- 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(e) and 2Q .0508(i)(16)]
- 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(i)(2)]

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 in 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)(2)]

“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 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 corrective measures have been accomplished; and
 - iii. submit to the Regional Supervisor or Director within 15 days 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 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

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. 15A NCAC 2D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

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 .0508(e) and 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(i)(4)]

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(i)(9)]

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) and 2Q .0508 (l)]

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(n)]

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 1 a compliance certification (for the preceding 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(i)(8)]

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(l) 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(i)(10)]

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(i)(9)]

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(h)]

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(i)(1)]

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(i)(16)]

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(i)(16)]

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
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound

PART II

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

Table 1: The following table contains a summary of all authorized emission sources and associated air pollution control devices and appurtenances **associated with Air Quality Permit Application 9200593.07A:**

Emission Source ID No.	Emission Source ID No.	Control Device ID No.	Control Device Description
ES-1 and ES-2 (NSPS/MACT)	Municipal closed sanitary waste landfill (ES-1; 1.4 million megagrams capacity) Municipal active sanitary waste landfill (ES-2; 4.0 million megagrams capacity)	CD-GCCS1, CD-1 CD-2 **	One landfill gas collection system (ID No. GCCS1) with: one landfill gas-fired candlestick-type flare (38.0 million Btu per hour heat input capacity, ID No. CD-1), one landfill gas-fired candlestick-type “temporary” flare (30.9 million Btu per hour heat input capacity, ID No. CD-2**), and one landfill gas treatment system

** This “temporary flare” (ID No. CD-2) is listed as a 502(b)(10) change per 15A NCAC 2Q .0523. The permit shield described in General Condition R does not apply.

SECTION 2: SPECIFIC LIMITATIONS AND CONDITIONS

The air emission source(s) and associated air pollution control device(s) and appurtenances listed in Section 1 are subject to the following specific terms, conditions, and limitations, including the monitoring, recordkeeping, and reporting requirements as specified herein:

1. Any air emission sources or control devices listed in Section 1 must be constructed and maintained in accordance with the provisions contained herein and constructed and operated in accordance with provisions contained in Part I of this permit. The Permittee shall comply with applicable Environmental Management Commission Regulations, including Title 15A NCAC, Subchapter 2D .0516, .0521, .0524 (Subpart WWW), .1100, .1111 (Subpart AAAA), and 2Q .0705.
2. **NOTIFICATION REQUIREMENT** - In accordance with 15A NCAC 2Q .0523(a)(1)(C), the **Permittee** shall notify the **Director and EPA (EPA - Air Planning Branch, 61 Forsyth St., Atlanta, GA 30303) in writing** at least seven days before the change is made. The written notification shall include:
 - a. a description of the change at the facility;
 - b. the date on which the change will occur;
 - c. any change in emissions; and
 - d. any permit term or condition that is no longer applicable as a result of the change.
2. **NOTIFICATION REQUIREMENT** - If the proposed operational date is not met, a revised permit is not needed. However, within 15 days after the proposed operational date is not met, the Permittee shall notify in writing the Regional Supervisor of the new proposed operational date. Any existing equipment being replaced is permitted to operate in compliance until the replacement equipment is operational.

4. **NOTIFICATION REQUIREMENT 15A NCAC 2D .0524 "NEW SOURCE PERFORMANCE STANDARDS"** - For the "temporary flare" (ID No. CD-2), the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .0524 "New Source Performance Standards" (NSPS) as promulgated in 40 CFR 60, Subpart WWW, including Subpart A "General Provisions."
 - a. **NSPS Reporting Requirements** - In addition to any other notification requirements to the Environmental Protection Agency (EPA), the Permittee is required to **NOTIFY** the Regional Supervisor, DAQ, in **WRITING**, of the following:
 - i. the date construction (40 CFR 60.7) or reconstruction (40 CFR 60.15) of an affected facility is commenced, postmarked no later than 30 days after such date; and
 - ii. the actual date of initial start-up of an affected facility, postmarked within 15 days after such date.

SECTION 3: GENERAL CONDITIONS:

This section describes terms and conditions applicable to the construction of the air emission source(s) and associated air pollution control device(s) listed in Section 1 and State-only emission sources listed in Part I of the permit. Unless otherwise specified herein all references to the "permit" in this section apply only to Part II of the permit.

- A. **Operating Conditions**

All conditions for the air emission source(s) and associated air pollution control device(s) listed in Section 1 are under Part I of this permit.
- B. **General Provisions**
 1. This permit is nontransferable by the Permittee. Future owners and operators must obtain a new Air Quality Permit from the DAQ.
 2. This issuance of this permit in no way absolves the Permittee of liability for any potential civil penalties which may be assessed for violations of state law which have occurred prior to the issuance date of this permit.
 3. A violation of any term or condition of Part II of this permit shall subject the Permittee to enforcement pursuant to NCGS 143-215.114A, 143-215.114B, and 143-215.114C, including assessment of civil and/or criminal penalties.
- C. **Submissions (reports, test data, monitoring data, notifications, and requests for renewal)**

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.
- D. **Part II Renewal Request**

The Permittee shall request renewal of the emission source(s) and associated air pollution control device(s) listed in Section 1 at the same time as specified in Part I, Section 3 - General Condition K of this permit.
- E. **Annual Fee Payment**

The Permittee shall pay all fees in accordance with 15A NCAC 2Q .0200 and in conjunction with Part I, Section 3 - General Condition W of this Air Quality Permit.

F. **Reporting Requirements**

Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:

1. changes in the information submitted in the application;
2. changes that modify equipment or processes; or
3. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

G. **Termination, Modification, and Revocation of the Permit**

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; or
4. 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.

H. **Inspection and Entry**

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:

1. 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;
2. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
3. 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
4. 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.

I. **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.