



North Carolina Department of Environment and Natural Resources
Division of Air Quality

Beverly Eaves Perdue
Governor

Sheila C. Holman
Director

Dee Freeman
Secretary

XXX xxx, 2011

Mr. James A. Smith
Vice President and Plant Manager
MillerCoors LLC
863 East Meadow Road
Eden, North Carolina 27288

Dear Mr. Smith:

SUBJECT: Air Quality Permit No. 03116T20
Facility ID: 7900090
MillerCoors LLC
Eden
Rockingham County
Fee Class: Title V
PSD Status: Major

In accordance with your completed Air Quality Permit Application for a significant 112(j) modification received on February 9, 2011, we are forwarding herewith Air Quality Permit No. 03116T20 to MillerCoors LLC, 863 East Meadow Road, Eden, Rockingham County, 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. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

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

Permitting Section
1641 Mail Service Center, Raleigh, North Carolina 27699-1641
2728 Capital Blvd., Raleigh, NC 27604
Phone: 919-715-6237 \ FAX: 919-733-5317 \ Internet: www.daq.state.nc.us

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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 XXX xxx, 2011 to November 30, 2015, 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 Gautam Patnaik, at (919) 715-6246 or gautam.patnaik@ncdenr.gov.

Sincerely yours,

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

Enclosure

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

ATTACHMENT to Cover Letter to Air Quality Permit Number 03116T20

Table of Changes

Page(s)	Section	Description of Change(s)
3	Source Table	Added 112(j) designations to all boilers.
16	2.2 B. 1. b.	Emissions limits for boilers as per 112(j) standards.
18 to 23	2.2 B. 1.	Permit requirements to demonstrate compliance with 112(j).
24 to 34	Section 3	Upgrade General Conditions

ATTACHMENT to Air Quality Permit Number 03116T20

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

Emission Source ID	Emission Source Description
IES1	Warehousing operations (including bottle warehousing)
IES2	Spent grain silo
IES3.1³ and IES3.2³ (MACT, Subpart ZZZZ)	Two diesel-fired fire pumps (170 Hp, each)
IES4³ (MACT, Subpart ZZZZ)	One diesel-fired emergency generator (16 Hp)
IES5	Ammonia refrigerator system
IES6	CO ₂ recovery system
IES7	Specialty malt handling/receiving
IES8	Spice addition system to brewhouse
IES9	Hot melt adhesives application
IES10	One No. 6 fuel oil storage tank (1,000,000 gallon capacity)
IES11	One No. 2 fuel oil storage tank (30,000 gallon capacity)
IES12.1 and IES12.2	Two diesel fuel storage tanks (2,500 gallon capacity each)
IES13	One gasoline storage tank (2,500 gallon capacity)
IES14	Cooling towers
IES15	Utilities carbon regeneration system
IES16	One used oil tank (1,000 gallon capacity)
IES17	Coal bunkers
IES18	One raw materials unloading and transfer system, including the unloading pit, and malt, grit, black malt, and caramel malt silos with associated bagfilters (Nos. CD-11A, CD-11B, and CD-11C) (formerly ES11)
IES19	One grain transfer system, including Nos. 1 and 2 malt receivers, grit receiver, and malt mills with associated bagfilters (Nos. CD-12A, CD-12B, CD-12C, and CD-12D) (formerly ES12)
IES20	One wastewater treatment plant lime storage silo with associated bagfilter (No. CD-21) (formerly ES21)
IES21	General maintenance – welding, degreasing, grinding, etc.
IES22	Premix room, DE warehouse, Precoat and Body feed and outside the ceramic filter room controlled by multiple fabric filters for diatomaceous earth handling system
IES23	Brewhouse (including wort tanks)
IES24	Cold cleaner degreasers
IES25	Cold pile
IES26	Diatomaceous earth premix tanks

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 2D .1100 “Control of Toxic Air Pollutants” or 2Q .0711 “Emission Rates Requiring a Permit”.
3. For additional information regarding the applicability of MACT/GACT see the DAQ page titled “The Regulatory Guide for Insignificant Activities/Permits Exempt Activities”. The link to this site is as follows: <http://daq.state.nc.us/permits/insig/>



AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
03116T20	03116T19	XXX xxx, 2011	November 30, 2015

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: MillerCoors LLC

Facility ID: 7900090

Facility Site Location: 863 East Meadow Road
City, County, State, Zip: Eden, Rockingham County, North Carolina 27289
Mailing Address: 863 East Meadow Road
City, State, Zip: Eden, North Carolina 27289

Application Number: 7900090.09A
Complete Application Date: September 14, 2009

Primary SIC Code: 2082
Division of Air Quality,
Regional Office Address: Winston-Salem Regional Office
585 Waughtown Street
Winston-Salem, North Carolina 27107

Permit issued this the xxth day of XXX, 2011

Donald R. van der Vaart, Ph.D., P.E., J.D., Chief, Air Permits Section
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

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 ES-2 (2D .1109 Case-by-Case MACT)	Two coal/No. 2 fuel oil/No. 6 fuel oil-fired boilers (238 million Btu per hour heat input, each)	CD-1 CD-2	Two electrostatic precipitators (41,760 square feet of collecting plate area, each)
ES-3 (2D .1109 Case-by-Case MACT)	One No. 2 fuel oil/No. 6 fuel oil-fired boiler (136 million Btu per hour heat input)	NA	NA
ES-4	One boiler ash handling system	CD-4A CD-4B CD-4C	One air washer (7.1 square feet of collection surface area) installed on the boiler bottom ash exhaust and the flyash exhaust from the electrostatic precipitators One bagfilter (84 square feet of filter area) installed on the bottom ash silo One bagfilter (84 square feet of filter area) installed on the flyash silo
ES-6 (2D .1109 Case-by-Case MACT)	One No. 2 fuel oil-fired boiler (5.6 million Btu per hour heat input)	NA	NA
ES-15	One brewhouse cleaning vacuum system	CD-15A.1 CD-15B.1 CD-15A.2 CD-15B.2	One cyclone (30 inches in diameter) and one bagfilter (86 square feet of filter area) One cyclone (30 inches in diameter) and one bagfilter (86 square feet of filter area)
ES-24	Cold services	NA	NA
ES-31	Product packaging	NA	NA
ES-32	One quality control coding ink application on the packaging lines	NA	NA

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES-36	Wastewater treatment plant	NA	NA

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. Two coal/No. 2 fuel oil/No. 6 fuel oil-fired boilers (ID Nos. ES-1 and ES-2) with associated electrostatic precipitators (ID Nos. CD-1 and CD-2)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	0.21 pounds per million Btu heat input	15A NCAC 2D .0503
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Particulate matter	Compliance Assurance Monitoring	15A NCAC 2D .0614
Hazardous air pollutants	See Section 2.2 B	15A NCAC 2D .1109 [CAA § 112(j)]

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

- a. Emissions of particulate matter from the combustion of coal, No. 2, and No. 6 fuel oil that are discharged from these sources (**ID Nos. ES-1 and ES-2**) into the atmosphere shall not exceed 0.21 pounds per million Btu heat input.

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

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

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

- c. No monitoring/recordkeeping is required for particulate emissions from the firing of No. 2 and No. 6 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- d. Particulate matter emissions from these sources (**ID Nos. ES-1 and ES-2**) shall be controlled by two electrostatic precipitators (**ID Nos. CD-1 and CD-2**) while firing coal. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement must include the following:
 - i. a monthly external inspection of the electrostatic precipitators and ductwork; and

- ii. an annual (for each 12 month period from initial inspection) of the electrostatic precipitators to ensure structural integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503 if the electrostatic precipitators and ductwork are not inspected and maintained.

- e. The Permittee shall ensure that particulate matter emitted from these sources (**ID Nos. ES-1 and ES-2**) shall not exceed the limits in Section 2.1 A.1.a above by monitoring the following parameters for the electrostatic precipitators (**ID Nos. CD-1 and CD-2**) while firing coal:
 - i. secondary voltage (kV),
 - ii. secondary current (milliamps),
 - iii. calculated total ESP power (kW), and
 - iv. number of ESP fields in service.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503 if these parameters are not monitored.

- f. If the calculated total ESP power falls below 5 kVA, averaged over three hours, or less than two ESP fields are in service at any one time, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503. For the purpose of determining the number of exceedances, no more than one exceedance shall be attributed in any given 24-hour period.
- g. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each monthly inspection;
 - iii. the results of any maintenance performed on the electrostatic precipitators; and
 - iv. any variance from manufacturer's recommendations, if any, and corrections made.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503 if these records are not maintained.

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

- h. No reporting is required for particulate emissions from the firing of No. 2 and No. 6 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- i. The Permittee shall submit the results of any maintenance performed on any control device within 30 days of a written request by the DAQ.
- j. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

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

- a. Emissions of sulfur dioxide from these sources (**ID Nos. ES-1 and ES-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.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 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 is required for sulfur dioxide emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- d. The maximum sulfur content of any coal received and burned in these sources (**ID Nos. ES-1 and ES-2**) shall not exceed 1.5 percent by weight. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the coal exceeds this limit.
- e. To assure compliance, the Permittee shall monitor the sulfur content of the coal by using coal supplier certification per total shipment received. The coal supplier certification shall be recorded in a logbook (written or electronic format) per total shipment and include the following information:
 - i. the name of the coal supplier;
 - ii. the maximum sulfur content of the coal received per total shipment;
 - iii. a statement verifying that the methods used to determine the maximum sulfur content of the coal was in accordance with the following:
 - A. sampling – ASTM Method D 2234;
 - B. preparation – ASTM Method D 2013;
 - C. gross calorific value (Btu) – ASTM Method D 2015, ASTM Method D 1989, or ASTM Method D 5865;
 - D. moisture content – ASTM Method D 3173, ASTM Method D 3302, or ASTM Method D 5412; and
 - E. sulfur content – ASTM Method D 3177 or ASTM Method D 4239.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the coal is not monitored and recorded.

- f. The maximum sulfur content of any No. 6 fuel oil received and burned in these sources (**ID Nos. ES-1 and ES-2**) shall not exceed 2.1 percent by weight. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the fuel oil exceeds this limit.
- g. To assure compliance, the Permittee shall monitor the sulfur content of the No. 6 fuel oil by using fuel oil supplier certification per shipment received. The results of the fuel oil supplier certifications shall be recorded in a logbook (written or electronic format) on a quarterly basis and include the following information:
 - i. the name of the fuel oil supplier;
 - ii. the maximum sulfur content of the fuel oil received during the quarter;
 - iii. the method used to determine the maximum sulfur content of the fuel oil; and
 - iv. a certified statement signed by the responsible official that the records of fuel oil supplier certification submitted represent all of the No. 6 fuel oil fired during the period.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the oil is not monitored and recorded.

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

- h. No reporting is required for sulfur dioxide emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- i. The Permittee shall submit a summary report of the coal/No. 6 fuel oil supplier certifications postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. Also, a certified statement signed by the responsible official that the records of coal/No. 6 fuel oil supplier certifications submitted represent all of the coal/No. 6 fuel oil fired during the reporting period. All instances of deviations from the requirements of this permit must be clearly identified.

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

- a. Visible emissions from these sources (**ID Nos. ES-1 and ES-2**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

Testing [15A NCAC 2Q .0508]

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

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

- c. No monitoring/recordkeeping is required for visible emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- d. To assure compliance, once a day while firing coal or No. 6 fuel oil the Permittee shall observe the emission points of these sources (**ID Nos. ES-1 and ES-2**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three days of absent observations per semi-annual period. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
 - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
 - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 A.3.a above.

If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

- e. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.

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

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

- f. No reporting is required for visible emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-2**).
- g. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

4. 15A NCAC 2D .0614: COMPLIANCE ASSURANCE MONITORING

- a. The Permittee shall ensure that particulate matter emitted from these sources (**ID Nos. ES-1 and ES-2**) shall not exceed the limits in Section 2.1 A.1.a and Section 2.1 A.3.a above, respectively, by monitoring the following parameters for the electrostatic precipitators (**ID Nos. CD-1 and CD-2**):
 - i. secondary voltage (kV),
 - ii. secondary current (milliamps),
 - iii. calculated total ESP power (kVA), and
 - iv. number of ESP fields in service.
- b. For CAM purposes, the minimum calculated total ESP power shall be 7.0 kVA averaged over three hours. Three-hour averages below 7.0 kVA are considered excursions, which are reported semiannually. Excursions only trigger corrective action and do not constitute excess emissions or Title V deviations.

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

- c. A continuous parametric monitoring system (CPMS) for the two electrostatic precipitators (**ID Nos. CD-1 and CD-2**), installed on these sources (**ID Nos. ES-1 and ES-2**), shall be installed and operated according to the following:
 - i. the CPMS must complete a minimum of one cycle of operation for each successive 15-minute period and a minimum of four successive cycles of operation must be present to have a valid hour of data;
 - ii. valid data from at least 90 percent of the hours during which the process operated on an annual basis must be obtained;
 - iii. the hourly average of all recorded readings must be determined;
 - iv. each three-hour period average of all recorded readings for each operating period must be determined; and
 - v. the results of each inspection, calibration, and validation check must be recorded.
- d. Proper maintenance. At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
- e. Continued operation. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- f. Response to excursions.
 - i. Upon detecting an excursion, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator

- range, designated condition, or below the applicable emission limitation or standard, as applicable.
- ii. Determination of whether the owner or operator has used acceptable procedures in response to an excursion will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.
 - g. Documentation of need for improved monitoring. After approval of monitoring under this part, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.
 - h. Based on the results of a determination made pursuant to 2.1 E.6.f.ii above, the DAQ may require the Permittee to develop and implement a QIP if an accumulation of excursions of any permitted operating parameter exceeds 5 percent duration of the ESP operating time for a reporting period.
 - i. If required the Permittee shall maintain a written QIP, if required, and have it available for inspection.
 - ii. The plan initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:
 - (A) improved preventive maintenance practices,
 - (B) process operation changes,
 - (C) appropriate improvements to control methods,
 - (D) other steps appropriate to correct control performance, and/or
 - (E) more frequent or improved monitoring.
 - iii. If a QIP is required, the Permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the DAQ if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.
 - iv. Following implementation of a QIP, upon any subsequent determination pursuant to 2.1 E.6.f.ii above, the DAQ may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:
 - (A) failed to address the cause of the control device performance problems; or
 - (B) failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.
 - v. Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the Act.
 - i. The Permittee must maintain the following records on a monthly basis in accordance with the requirements of 40 CFR 63.10(b)(1):
 - i. records specified in 40 CFR 63.10(b)(2) of all measurements of operating parameters including:
 - (A) secondary voltage (kV),
 - (B) secondary current (milliamps),
 - (C) calculated total ESP power (kVA), and

- (D) number of ESP fields in service.
- ii. records specified in 40 CFR 63.10(c) for each continuous parametric monitoring system operated by the Permittee.

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

- j. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. The report must contain the following information:
 - i. Company name and address,
 - ii. a statement by a responsible official with that official’s name, title, and signature, certifying the accuracy of the content of the report,
 - iii. the date of report and beginning and ending dates of the reporting period,
 - iv. a statement that there were no excursions outside of the allowable operating parameter limits during the reporting period (as applicable), and that no continuous parametric monitoring system (CPMS) was inoperative, inactive, malfunctioning, out-of-control, repaired, or adjusted. For each excursion of an allowable operating parameter that occurs, the compliance report must contain:
 - (A) the total operating time of the source during the reporting period,
 - (B) information on the number, duration, and cause of excursion (including unknown cause), if applicable, and the corrective action taken,
 - (C) information on the number, duration, and cause for CPMS downtime incidents, if applicable, other than downtime associated with zero and span and other daily calibration checks.

**B. One No. 2 fuel oil/No. 6 fuel oil-fired boiler (ID No. ES-3)
One No. 2 fuel oil-fired boiler (ID No. ES-6)**

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	0.21 pounds per million Btu heat input	15A NCAC 2D .0503
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Hazardous air pollutants	See Section 2.2 B	15A NCAC 2D .1109 [CAA § 112(j)]

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

- a. Emissions of particulate matter from the combustion of No. 2 and No. 6 fuel oil that are discharged from these sources (**ID Nos. ES-3 and ES-6**) into the atmosphere shall not exceed 0.21 pounds per million Btu heat input.

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

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

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

- c. No monitoring/recordkeeping/reporting is required for particulate matter emissions from the firing of No. 2 or No. 6 fuel oil in these sources (**ID Nos. ES-3 and ES-6**).

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

- a. Emissions of sulfur dioxide from these sources (**ID Nos. ES-3 and ES-6**) 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.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.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 is required for sulfur dioxide emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-3 and ES-6**).
- d. The maximum sulfur content of any No. 6 fuel oil received and burned in this source (**ID No. ES-3**) shall not exceed 2.1 percent by weight. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the fuel oil exceeds this limit.
- e. To assure compliance, the Permittee shall monitor the sulfur content of the No. 6 fuel oil by using fuel oil supplier certification per shipment received. The results of the fuel oil supplier certifications shall be recorded in a logbook (written or electronic format) on a quarterly basis and include the following information:
 - i. the name of the fuel oil supplier;
 - ii. the maximum sulfur content of the fuel oil received during the quarter;
 - iii. the method used to determine the maximum sulfur content of the fuel oil; and
 - iv. a certified statement signed by the responsible official that the records of fuel oil supplier certification submitted represent all of the No. 6 fuel oil fired during the period.The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516 if the sulfur content of the oil is not monitored and recorded.

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

- f. No reporting is required for sulfur dioxide emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-3 and ES-6**).
- g. The Permittee shall submit a summary report of the No. 6 fuel oil supplier certifications postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. Also, a certified statement signed by the responsible official that the records of No. 6 fuel oil supplier certifications submitted represent all of the No. 6 fuel oil fired during the reporting period. All instances of deviations from the requirements of this permit must be clearly identified.

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

- a. Visible emissions from these sources (**ID Nos. ES-3 and ES-6**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

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

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

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

- c. No monitoring/recordkeeping is required for visible emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-3 and ES-6**).
- d. To assure compliance, once a day while firing No. 6 fuel oil the Permittee shall observe the emission points of this source (**ID No. ES-3**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three days of absent observations per semi-annual period. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
 - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
 - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.3.a above.

If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

- e. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.

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

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

- f. No reporting is required for visible emissions from the firing of No. 2 fuel oil in these sources (**ID Nos. ES-3 and ES-6**).
- g. The Permittee shall submit a summary report of the observations postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

- C. **One boiler ash handling system (ID No. ES-4) with associated air washer (ID No. CD-4A) and two bagfilters (ID Nos. CD-4B and CD-4C)**
One brewhouse cleaning vacuum system (ID No. ES-15) with associated cyclones (ID Nos. CD-15A.1 and CD-15B.1) each installed in series with two associated bagfilters (ID Nos. CD-15A.2 and CD-15B.2)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated	Limits/Standards	Applicable
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Pollutant		Regulation
Particulate matter	(For process weights up to 30 tons per hour) $E = 4.10 \times P^{0.67}$ (For process weights greater than 30 tons per hour) $E = 55 \times P^{0.11-40}$ Where: E = allowable emission rate in pounds per hour P = process weight rate in tons per hour	15A NCAC 2D .0515
Visible emissions	20 percent opacity	15A NCAC 2D .0521

1. 15A NCAC 2D .0515: PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES

- a. Emissions of particulate matter from these sources (**ID Nos. ES-4 and ES-15**) shall not exceed an allowable emission rate as calculated by the following equations:

(For process weights up to 30 tons per hour)

$$E = 4.10 \times P^{0.67}$$

(For process weights greater than 30 tons per hour)

$$E = 55 \times P^{0.11-40}$$

Where: E = allowable emission rate in pounds per hour

P = process weight rate in tons per hour

Liquid and gaseous fuels and combustion air are not considered as part of the process weight.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515.

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

- c. Particulate matter emissions from these sources (**ID Nos. ES-4 and ES-15**) shall be controlled by one air washer (**ID No. CD-4A**), four bagfilters (**ID Nos. CD-4B, CD-4C, CD-15A.2, and CD-15B.2**), and two cyclones (**ID Nos. CD-15A.1 and CD-15B.1**) as described above. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement shall include the following:
- when in use, a monthly visual inspection of the system ductwork, bagfilters and cyclones for leaks; and
 - an annual (for each 12 month period following the initial inspection) internal inspection of the bagfilters' and cyclones' structural integrity.
- The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the ductwork, bagfilters, and cyclones are not inspected and maintained.
- d. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- the date and time of each recorded action;
 - the results of each inspection;
 - the results of any maintenance performed on any control device; and

iv. any variance from manufacturer's recommendations, if any, and corrections made. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if these records are not maintained.

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

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

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

- a. Visible emissions from these sources (**ID Nos. ES-4 and ES-15**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

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

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

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

- c. To assure compliance, once a day while these sources are each operating the Permittee shall observe the emission points of these sources (**ID Nos. ES-4 and ES-15**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three days of absent observations per semi-annual period. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
 - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
 - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 C.2.a above.

If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.

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

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

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

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

A. Facility-wide affected sources

1. 15A NCAC 2Q .0508(g): PREVENTION OF ACCIDENTAL RELEASES – SECTION 112(r) OF THE CLEAN AIR ACT

- a. The Permittee is subject to Section 112(r) of the Clean Air Act and shall comply with all applicable requirements in accordance with 40 CFR Part 68.

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

- b. The Permittee has submitted a Risk Management Plan (RMP) to EPA pursuant to 40 CFR Part 68.150 on **July 14, 2008**.
- c. The Permittee shall revise and update the RMP submitted under 40 CFR 68.150 by **July 14, 2013** and at least once every five years after that date or most recent update required by 40 CFR 68.190(b)(2) through (b)(7), whichever is later.

State-enforceable only

2. 15A NCAC 2D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS

- a. 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.

3. 15A NCAC 2D .0958: WORK PRACTICES FOR SOURCES OF VOLATILE ORGANIC COMPOUNDS

- a. Pursuant to 15A NCAC 2D .0958, for all sources that use volatile organic compounds (VOC) as solvents, carriers, material processing media, or industrial chemical reactants, or in similar uses that mix, blend, or manufacture VOCs, or emit VOCs as a product of chemical reactions, and whose emissions of VOCs are greater than 15 pounds per day; the Permittee shall:
 - i. store all material, including waste material, containing VOCs in tanks or in containers covered with a tightly fitting lid that is free of cracks, holes, or other defects, when not in use,
 - ii. clean up spills of VOCs as soon as possible following proper safety procedures,
 - iii. store wipe rags containing VOCs in closed containers,
 - iv. not clean sponges, fabric, wood, paper products, and other absorbent materials with VOCs,
 - v. transfer solvents containing VOCs used to clean supply lines and other coating equipment into close able containers and close such containers immediately after each use, or transfer such solvents to closed tanks, or to a treatment facility regulated under section 402 of the Clean Water Act, and
 - vi. clean mixing, blending, and manufacturing vats and containers containing VOCs by adding cleaning solvent and close the vat or container before agitating the cleaning solvent. The

spent cleaning solvent shall then be transferred into a closed container, a closed tank or a treatment facility regulated under section 402 of the Clean Water Act.

- b. When cleaning parts with a solvent containing a VOC, the Permittee shall:
 - i. flush parts in the freeboard area,
 - ii. take precautions to reduce the pooling of solvent on and in the parts,
 - iii. tilt or rotate parts to drain solvent and allow a minimum of 15 seconds for drying or until all dripping has stopped, whichever is longer,
 - iv. not fill cleaning machines above the fill line, and
 - v. not agitate solvent to the point of causing splashing.

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

- c. To ensure compliance with paragraphs (a) and (b) above, the Permittee shall, at a minimum, perform a visual inspection once per month of all operations and processes utilizing VOCs. The inspections shall be conducted during normal operations. If the required inspections are not conducted the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0958.
- d. The results of the inspections shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each inspection; and
 - ii. the results of each inspection noting whether or not noncompliant conditions were observed.If the required records are not maintained the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0958.

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

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

- B. Two coal/No. 2 fuel oil/No. 6 fuel oil-fired boilers (ID Nos. ES-1 and ES-2)**
One No. 2 fuel oil/No. 6 fuel oil-fired boiler (ID No. ES-3)
One No. 2 fuel oil-fired boiler (ID No. ES-6)

The following provides a summary of limits and/or standards for the emission source(s) described above.

Regulated Pollutant	Limits/Standards	Applicable Regulation
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Regulated Pollutant	Limits/Standards	Applicable Regulation
HAPs	<p>From firing coal in boilers (ES-1 and ES-2): Filterable PM: 0.08 lb/MMBtu Total Selected Metals*: 0.0004 lb/MMBtu Carbon Monoxide: 30 ppmvd, 7% O₂ Hydrogen Chloride (HCl): 0.1254 lb/MMBtu Chlorine (Cl₂): 0.01304 lb/MMBtu Mercury (Hg): 7.6932e-4 lb/MMBtu Hydrogen Fluoride (HF): 0.00577 lb/MMBtu Hydrogen Cyanide (HCN): 0.00018 lb/MMBtu</p> <p>From firing fuel oil No. 6 in boilers (ES-1, ES-2, ES-3, and ES-6): Filterable PM: 0.45 lb/MMBtu Total Selected Metals*: 0.002 lb/MMBtu Carbon Monoxide: 28 ppmvd, 7% O₂ Hydrogen Chloride (HCl): 0.00238 lb/MMBtu Chlorine (Cl₂): 0.00231 lb/MMBtu Mercury (Hg): 7.5367e-7 lb/MMBtu Hydrogen Fluoride (HF): 2.6176e-4 lb/MMBtu Hydrogen Cyanide (HCN): 1.786e-4 lb/MMBtu</p> <p>From firing fuel oil No. 2 in boilers (ES-1, ES-2, ES-3, and ES-6): Work Practice Standards.</p>	15A NCAC 2D .1109 [CAA § 112(j)]

* Facilities may choose to comply with the Total Selected Metals (TSM) standard *in lieu* of the particulate matter (PM) standard. Facilities are not required to comply with both the PM and TSM standards.

1. 15A NCAC 2D .1109: CAA § 112(j); Case-by-Case MACT for Boilers & Process Heaters

Initial Compliance Date

- a. The initial compliance date for these emission limitations and associated monitoring, recordkeeping, and reporting requirements is xxx/xxx/2014.[3 years from permit issuance].

Emission Limitations

- b. Emissions of the following regulated pollutants shall not exceed the emissions limits listed below for the affected boilers:
 - i. From firing coal in boilers (ID Nos. ES-1 and ES-2):
 - (A) Filterable PM: 0.08 lb/MMBtu;
 - (B) Total Selected Metals*: 0.0004 lb/MMBtu;
 - (C) Carbon Monoxide: 30 ppmvd, 7% O₂;
 - (D) Hydrogen Chloride (HCl): 0.1254 lb/MMBtu;
 - (D) Chlorine (Cl₂): 0.01304 lb/MMBtu;
 - (E) Mercury (Hg): 7.6932e-4 lb/MMBtu;
 - (F) Hydrogen Fluoride (HF): 0.00577 lb/MMBtu; and
 - (H) Hydrogen Cyanide (HCN): 0.00018 lb/MMBtu.
 - ii. From firing No. 6 fuel oil in boilers (ID Nos. ES-1, ES-2, ES-3, and ES-4):
 - (A) Filterable PM: 0.45 lb/MMBtu;

- (B) Total Selected Metals*: 0.002 lb/MMBtu;
- (C) Carbon Monoxide: 28 ppmvd, 7% O₂;
- (D) Hydrogen Chloride (HCl): 0.00238 lb/MMBtu;
- (E) Chlorine (Cl₂): 0.00231 lb/MMBtu;
- (F) Mercury (Hg): 7.5367e-7 lb/MMBtu;
- (G) Hydrogen Fluoride (HF): 2.6176e-4 lb/MMBtu; and
- (H) Hydrogen Cyanide (HCN): 1.786e-4 lb/MMBtu

iii. From firing No. 2 fuel oil in boilers (ID Nos. ES-1, ES-2, ES-3, and ES-4):
(A) Work Practice Standards.

c. The emissions limitations for a specific fuel type in Table A shall only apply when the Permittee fires at least 10% of that fuel in a boiler on a **12-month rolling average heat input basis**. If the Permittee fires less than 10% of a specific fuel in a boiler on a 12-month rolling average heat input basis, the respective emissions limitations and the associated testing, monitoring, and recordkeeping shall not apply, except the Permittee must maintain records of the amounts of each fuel fired according to condition 2.2 B. 1. z.

Control Device and Continuous System Monitoring Requirements

- d. The Permittee shall install operate and maintain control devices and continuous monitoring systems (CMS) for the coal-fired boilers (**ID Nos. ES-1 and ES-2**) as follows:
- i. The Permittee shall operate the electrostatic precipitators (ID Nos. CD-1 and CD-2). The electrostatic precipitators are not required while the boiler is solely burning fuel oil.
 - ii. For the electrostatic precipitators the Permittee shall perform a monthly external inspection and an internal inspection when the boiler is shut down during a major inspection interval (at least once every 18 months) and perform maintenance as recommended by the manufacturer
 - iii. The Permittee shall install, operate, and maintain the total ESP power (kW) on each of the electrostatic precipitators.
 - iv. The Permittee shall maintain a 12-hour block average of the total ESP power (kW) at or above the operating levels established during the performance test that demonstrated compliance with the applicable emission limits.

Carbon Monoxide CEMS

- e. The Permittee must install, operate, and maintain a continuous emission monitoring system (CEMS) for carbon monoxide and oxygen according to the procedures listed in i. through ix. below. The carbon monoxide and oxygen shall be monitored at the same location at the outlet of each boiler (**ID Nos. ES-1 and ES-2**).
- i. Each CEMS must be installed, operated, and maintained according to the applicable procedures under Performance Specification (PS) 3 or 4A of 40 CFR 60, Appendix B, and according to the site-specific monitoring plan (See condition 2.2 B. 1. f).
 - ii. Conduct a performance evaluation of each CEMS according to the requirements in 40 CFR 63.8 and according to PS 4A of 40 CFR 60, Appendix B.
 - iii. Each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
 - iv. The CEMS data must be reduced as specified in 40 CFR 63.8(g)(2).

- v. The Permittee must calculate and record a 30-day rolling average emission rate on a daily basis. A new 30-day rolling average emission rate is calculated as the average of all of the hourly CO emission data for the preceding 30 operating days.
- vi. Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), monitor continuously (or collect data at all required intervals) at all times that the affected source is operating.
- vii. For purposes of calculating data averages, the Permittee may not use data recorded during periods of monitoring malfunctions, associated repairs, out-of-control periods, required quality assurance or control activities, or when the boiler or process heater is operating at less than 50 percent of its rated capacity. The Permittee must use all the data collected during all other periods in assessing compliance.
- viii. A 30-day rolling average emission rate above the applicable emission limitation shall constitute a violation of the standard.
- ix. Where a source is firing only distillate fuel oil, no CEMS is required to monitor carbon monoxide and oxygen.

Site Specific Monitoring Plan

- f. The Permittee must develop a site-specific monitoring plan for each required continuous monitoring system (CMS). The plan shall be submitted to the NC DAQ Stationary Source Compliance Branch (SSCB) at least 60 days before the initial performance evaluation of the CMS.

Boiler Inspection and Maintenance

- g. For each boiler (ID Nos. ES-1, ES-2, ES-3, and ES-6) the Permittee shall perform an annual boiler inspection and maintenance as recommended by the manufacturer, or as a minimum, the inspection and maintenance requirement shall include the following:
 - i. Inspect the burners, and clean or replace any components of the burners as necessary;
 - ii. Inspect the flame pattern and make any adjustments to the burners necessary to optimize the flame pattern; and,
 - iii. Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly.
 - iv. The Permittee shall conduct at least one tune-up per calendar year to demonstrate compliance with this requirement.

Performance Testing

- h. Performance testing shall be conducted in accordance with condition in Section 2.2 B. 1. aa.
- i. No performance testing is required if:
 - i. The facility can demonstrate compliance with any applicable emission limit using fuel analysis according to the procedures in the DAQ approved site-specific fuel analysis plan.
 - ii. The affected boiler only fires virgin or recycled distillate fuel oil, and complies with the following requirements:
 - A. The initial compliance demonstration requirement in condition 2.2 B. 1. o. iii.;
 - B. The monitoring/recordkeeping requirements in condition 2.2 B. 1. x. i; and
 - C. The notification requirement in condition 2.2 B. 1. bb. viii.

- iii. The facility demonstrates compliance with the CO limit using CO CEMS.
- j. No performance testing or fuel analysis is required for HF and HCN. The Permittee has demonstrated compliance for HF and HCN emissions by modeling.
- k. The Permittee has demonstrated compliance with the emissions standards for HCl, Cl₂, and Hg emissions using the DAQ approved Health-Based Compliance Alternative (HBCA) approach.

Fuel Analyses Plan

- m. If the Permittee chooses to demonstrate compliance with this standard using one or more fuel analyses, the analyses shall be conducted according to a DAQ approved site-specific fuel analysis plan.
- n. The Permittee shall develop and submit a site-specific fuel analysis plan to the NC DAQ – SSCB for review and approval no later than 60 days before the date that the Permittee plans to demonstrate compliance.

Initial Compliance Requirements

- o. The Permittee must demonstrate initial compliance with each emission limit and work practice standard that applies by either:
 - i. Conducting initial performance tests and establishing required operating limits within 180 days of the initial compliance date;
 - ii. Conducting initial fuel analyses to determine emission rates and establishing required operating limits within 180 days of the initial compliance date; or,
 - iii. Where a source is firing only distillate fuel oil retain records demonstrating that the source only fires these fuels. An acceptable record may include a fuel oil certification from the vendor or receipts for fuel oil, natural gas, propane, and/or liquefied petroleum gas purchased by the facility.

Periodic Testing/Fuel Analysis Requirements

- p. If the Permittee uses performance testing to demonstrate compliance with the standard, the Permittee must conduct all applicable performance tests on an annual basis, unless it meets the requirements listed in i. through iii. below. Annual performance tests, if required, must be completed between 11 and 13 months after the previous performance test.
 - i. The Permittee may conduct performance tests less often for a given pollutant if the performance tests for at least 3 consecutive years show **the emission rate is less than or equal to 80 percent of the allowable limit**. In this case, the Permittee need not conduct a performance test for that pollutant for the next 2 years, but must conduct a performance test during the **each** third year and no more than 36 months after the previous performance test.
 - ii. If the affected boiler or process heater continues to meet the emission limit, the Permittee may conduct performance tests every third year, but each such performance test must be conducted no more than 36 months after the previous performance test.
 - iii. If a performance test shows noncompliance with an emission limit, the Permittee must conduct annual performance tests for that pollutant until all performance tests over a consecutive 3-year period show **the emission rate is less than or equal to 80 percent of the allowable limit**.
- q. If the Permittee uses fuel analysis to demonstrate compliance with the standard, the Permittee must conduct a fuel analysis **on an annual basis**. Each fuel analysis shall be conducted between 11 and 13 months after the previous analysis. If a fuel analysis shows a potential exceedance of an emission limitation in 2.2 B. 1. b., above, the Permittee shall conduct a follow-up stack test of

the affected source within 90 days. If the Permittee cannot conduct a follow-up test within 90 days or the follow-up test shows an exceedance of the emission limitation in condition 2.2 B. 1. b., above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .1109 .

- r. If all fuel samples show a compound is below the detection limit, emissions of that compound can be considered zero. If some samples show the compound is detected, any non-detect values shall be considered at half the detection limit.
- s. The Permittee must report the results of performance tests and fuel analyses within 60 days after the completion of the performance tests or fuel analyses. This report should also verify that the operating limits for your affected source have not changed or provide documentation of revised operating parameters.

Recordkeeping Requirements

- t. Maintain copy of each notification and report required by this standard, including all documentation supporting any Notification of Compliance Status.
- u. Maintain records of performance tests, fuel analyses, or other compliance demonstrations, and CMS performance evaluations.
- v. For each required CEMS and CMS, maintain the following records:
 - i. All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);
 - ii. A record of each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);
 - iii. All CMS calibration checks; and,
 - iv. All adjustments and maintenance performed on CMS;
- w. Maintain records of all monitoring data and calculated averages for applicable operating limits such as carbon monoxide used to demonstrate compliance with the standard.
- x. For each affected source, maintain the following records:
 - i. Records of monthly fuel use by each affected source, including the type(s) of fuel and amount(s) used.
 - ii. For each performance test used to demonstrate compliance, a copy of all calculations and supporting documentation.
 - iii. For each fuel analysis used to demonstrate compliance, a copy of all calculations and supporting documentation.
- y. The results of any required annual burner inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. The date of each recorded action;
 - ii. The results of each inspection; and,
 - iii. The results of any maintenance performed on the boilers.
- z. If the Permittee limits the firing of a specific fuel to less than 10% on 12-month average heat input basis, it shall create and retain the following records at least once per calendar month:
 - i. Record the fuel use by each affected source, including the type(s) of fuel and amount(s) used, during the previous calendar month; and,

- ii. Calculate the 12-month average heat input from residual fuel oil for each affected source during the previous 12-month period.

After the initial compliance date, if the annual average heat input is equal to or greater than 10% for any 12-month period, the Permittee shall conduct an initial compliance test within **90 days** following the end of the 12-month period (unless such date is *earlier than* 180 days following the initial compliance date, in which case the test shall be performed 180 days following the initial compliance date). Monitoring and recordkeeping requirements associated with the specific fuel firing shall be implemented as soon as practicable, and in no case later than **90 days** following the end of the 12-month period. Until the completion of the initial compliance test, operating parameters shall be based on the best engineering information available to the Permittee.

Performance Testing Notification and Reporting Requirements

- 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 or to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 2D .2600 and follow the procedures outlined below:
 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 description of the training and air testing experience of the person directing the test;
 - b. a certification of the test results by sampling team leader and facility representative;
 - c. 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);
 - d. 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;
 - e. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
 - f. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
 - g. 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.

Reporting Requirements

Notification of Compliance Status

- bb. The Permittee must submit a Notification of Compliance Status that meets the requirements of §63.9(h)(2)(ii) before the close of business on the 60th day following the completion of the final required performance test and/or other initial compliance demonstration. The Notification of Compliance Status report must contain the following information, as applicable:
- i. A description of the affected source(s) including identification of which subcategory the source is in, the capacity of the source, a description of the add-on controls used on the source description of the fuel(s) burned, and justification for the fuel(s) burned during the performance test.
 - ii. Summary of the results of all performance tests, fuel analyses, and calculations conducted to demonstrate initial compliance including all established operating limits.
 - iii. Identification of whether the facility is complying with the PM emission limit or the alternative TSM emission limit.
 - iv. Identification of whether the facility demonstrated compliance with each applicable emission limit through performance testing or fuel analysis.
 - v. Identification of whether the facility plans to demonstrate compliance by emissions averaging.
 - vi. A certification signed by the Responsible Official that the facility has met all applicable emission limits and work practice standards.
 - vii. A summary of the CO emissions monitoring data to show that the facility has met any applicable work practice standard or emission limitation in condition 2.2 B. 1. b., above.
 - viii. If the affected source fires only gaseous fuel and/or distillate fuel oil, include a certification of such that is signed by the Responsible Official.

SECTION 3 - GENERAL CONDITIONS (v3.3)

This section describes terms and conditions applicable to this Title V facility.

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 NO_x 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

All submittals shall include the Facility name and Facility ID number (refer to the cover page of this permit).

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. 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:

- a. changes in the information submitted in the application;
- b. changes that modify equipment or processes; or
- c. 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.

2. 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.
3. 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.
4. 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)(4)]

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(c)]

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 to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 2D .2600 and follow the procedures outlined below:

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. 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.
3. 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 description of the training and air testing experience of the person directing the test;
 - b. a certification of the test results by sampling team leader and facility representative;
 - c. 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);
 - d. 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;
 - e. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
 - f. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
 - g. 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.
4. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
5. 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.

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.

MM. Fugitive Dust Control Requirement [15A NCAC 2D .0540] - STATE ENFORCEABLE ONLY

As required by 15A NCAC 2D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 2D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

NN. Specific Permit Modifications [15A NCAC 2Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 2Q .0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 2Q .0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), 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.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

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
CAIR	Clean Air Interstate Rule
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
NAA	Non-Attainment Area
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
RACT	Reasonable Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound