



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

Beverly Eaves Perdue
Governor

Sheila Holman
Director

Dee Freeman
Secretary

date, 2011

Mr. Derek Moore
Plant Manager
The Sherwin-Williams Company
113 Stagecoach Trail
Greensboro, North Carolina 27409

Dear Mr. Moore:

SUBJECT: Air Quality Permit No. **05755T18**
Facility ID: 4100868
The Sherwin-Williams Company
Greensboro, North Carolina
Guilford County
Fee Class: Title V
PSD Status: Minor

In accordance with your completed Air Quality Permit Application for **renewal** of your Title V permit received **April 1, 2011**, we are forwarding herewith Air Quality Permit No. **05755T18** to The Sherwin-Williams Company, 113 Stagecoach Trail, Greensboro, Guilford 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, North Carolina 27604
Phone: 919-715-6235 / FAX 919-733-5317 / Internet: www.ncair.org

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Mr. Derek Moore

date, 2011

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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 date, 2011 until date, 2016, 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 Mr. Mark J. Cuilla, E.I.T., at (919) 733-1499.

Sincerely yours,

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

Enclosure

c: Gregg Worley, EPA Region 4 (with review)
Winston Salem Regional Office
Central Office

ATTACHMENT to Air Quality Permit No. 05755T18

Permit Change Summary Table

The following table describes the modifications to the current permit as part of the renewal process.

Page	Section	Description of Change
Attachment	Insignificant Activities	-added area source GACT designations (7C and ZZZZ) -added asterisked language
Cover	-	-amended dates and permit revision numbers
All	Header	-amended permit revision number
3-5	Equipment table	-added area source GACT designations
6	2.1 A (table)	-clarified equipment/applicable requirement relationships -added MACT avoidance requirement
7	2.1 A.1.b 2.1 A.1.c 2.1 A.1.d 2.1 A.2.b 2.1 A.2.c.ii	-corrected testing rule cross reference -updated monitoring/recordkeeping shell language for uncontrolled particulate sources subject to 15A NCAC 2D .0515 -added “no reporting” language -corrected testing rule cross reference -corrected cross reference
8	2.1 A.2.e 2.1 B	-updated shell reporting language -corrected equipment description (# sources in grouping)
8-9	2.1 B (table)	-added MACT avoidance requirement -added area source GACT requirement (7C)
9	2.1 B.1.a 2.1 B.1.b 2.1 B.1.c 2.1 B.1.c.ii	-added ID numbers -corrected testing rule cross reference -clarified equipment/control device relationships -updated shell monitoring/recordkeeping language
10	2.1 B.1.f 2.1 B.2.b 2.1 B.2.c 2.1 B.2.c.ii	-updated shell reporting language -corrected testing rule cross reference -added ID numbers -corrected cross reference
11	2.1 B.2.e 2.2 A (table)	-updated shell reporting language -added area source GACT requirement (7C)
12	2.2 A.2.c 2.2 A.2.e	-added regulatory citation -added regulatory citation and updated shell reporting language
15	2.2 A.5.d	-modified MACT avoidance reporting language from quarterly to semi-annual
15-18	2.2 A.6	-added area source GACT specific permit language
18-29	General Conditions	-updated general conditions (v3.5)
30	List of Acronyms	-added acronym for CAIR, NAA, and RACT per current shell

ATTACHMENT to Air Quality Permit No. 05755T18

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

Emission Source ID	Source Description
IES-STILL	One batch type solvent distillation unit
IES-RDSH1 IES-RDSH2	Two heaters
IES-RDO401, IES-RDO201, IES-RDO202, IES-RDO203, IES-RDO204, and IES-QAQCOBM01	Six Blue M ovens
IES-RDO2401	One UV oven
IES-RDH901 IES-RDH902	Two hoods
IES-RDCC1 IES-RDCC2	Two curtain coaters
IES-RDRC1	One roller coater
IES-RDWT1 through IES-RDWT3	Three solvent wash tanks
IES-RDOP01, IES-QAQCOP01, and IES-QAQCOP02	Three precision ovens
IES-RDHSD1 [GACT, Subpart CCCCCC]	One HSD mixer
IES-RDCOM1 [GACT, Subpart CCCCCC]	One continuous media (COM) mill
IES-RDM2 [GACT, Subpart CCCCCC]	One dual motor Myers
IES-RDSB2 IES-RDSB3	Two spray booths
IES-RD1	One ventilation unit
IES-RDWH1	One water heater
IES-QAQCH01	One lab hood
IES-QAQC1	One low level lab exhaust
IES-QAQCOG01	One grieve oven
IES-DX41 IES-DX61	Two Baxter ovens
IES-QAQCHSD2 [GACT, Subpart CCCCCC]	One Eiger COM
IES-BF-2	One bagfilter (236 square feet of filter area) installed on exempt equipment
IES-SB-1 IES-SB-2	Two dry filter type spray booths used for quality control
IES-RDAM1 through IES-RDAM3 [GACT, Subpart CCCCCC]	Three air mixers
IES-DSSB2 IES-DSSB3	Two spray booths
IES-DS01	One 0.8 million Btu per hour natural gas-fired oven

ATTACHMENT to Air Quality Permit No. 05755T18

Emission Source ID	Source Description
IES-DS02	One electric oven
IES-B1	One natural gas-fired comfort heat boiler
IES-PSB	Powder coating spray booth
IES-PO	Powder coating curing oven
IES-RMWHH1 [GACT, Subpart CCCCCC]	Pre-batch weigh station hood
IES-DSAM1 through IES-DSAM6 [GACT, Subpart CCCCCC]	Six air mixers
IES-QAQCWT1 IES-QAQCWT2	Two solvent wash tanks
IES-UVQAQCR1	UV reactor
IES-UVQAQCSB1	UV spray booth
IES-UVQAQCO1	UV oven
IES-UVQAQCWT1	Solvent wash tank
IES-RDUVSB1	UV spray booth
IES-RDO205 IES-RDO402	Two Blue M ovens
IES-RDOG01	Giardina drying tunnel
IES-RDOP02	Precision oven
IES-RDGC1	Gas chromatograph
IES-RDAM4 through IES-RDAM26 [GACT, Subpart CCCCCC]	Twenty-three air mixers
IES-EG1 [GACT, Subpart ZZZZ] ³	One diesel-fired emergency generator (152 Hp)
IES-QAQCAM1 through IES-QAQCAM3 [GACT, Subpart CCCCCC]	Three air mixers

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 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/>

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



Division of Air Quality

AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
05755T18	05755T17	Date, 2011	Date, 2016

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: **The Sherwin-Williams Company**

Facility ID: **4100868**

Facility Site Location: **113 Stagecoach Trail**
City, County, State, Zip: **Greensboro, Guilford County, North Carolina 27409**
Mailing Address: **113 Stagecoach Trail**
City, State, Zip: **Greensboro, North Carolina 27409**

Application Number: **4100868.11A**
Complete Application Date: **April 1, 2011**

Primary SIC Code: **2851**
Division of Air Quality, **Winston Salem Regional Office**
Address: **585 Waughtown Street**
Winston Salem, North Carolina 27107

Permit issued this the xxxth day of xxxxx, 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 SOURCES AND ASSOCIATED AIR POLLUTION CONTROL DEVICES

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

Emission Source I.D. No.	Emission Source Description	Control Device I.D. No.	Control Device Description
FFL1	One one-head Neupak drum filling line	NA	NA
FFL3	One four-head Neupak one gallon filling line	NA	NA
FFL4 FFL5	Two two-head Neupak five gallon filling lines	NA	NA
FFL6	Press out station filling line	NA	NA
FFL7 FFL8	Two portable fillers	NA	NA
FCOM1, FCOM2, FCOM4 through FCOM7	Six continuous media (COM) mills	NA	NA
RT16 RT10 and RT12 RT8, RT13, and RT14 RT5, RT6, RT7, and RT15 RT11 RT9	Twelve resin storage (RT) tanks as follows: One 7,300 gallon capacity Two 7,600 gallon capacity Three 7,900 gallon capacity Four 8,300 gallon capacity One 9,400 gallon capacity One 10,200 gallon capacity	NA	NA
ST8, ST9, ST10, ST11,ST12, ST15, ST16, and ST17 ST18 ST21 ST22 ST6 and ST19 ST14 ST23 ST20 ST2, ST3, ST4, ST5, and ST7 ST1 ST13	Twenty-three solvent storage tanks (ST) as follows: Eight 6,400 gallon capacity One 10,000 gallon capacity One 7,000 gallon capacity (solvent or resin) One 7,600 gallon capacity Two 8,000 gallon capacity One 8,800 gallon capacity One 10,100 gallon capacity (solvent or resin) One 10,600 gallon capacity Five 12,600 gallon capacity One 22,000 gallon capacity One 9,700 gallon capacity	NA	NA
HSD11 HSD40 HSD1, HSD7, HSD8, and HSD10 HSD20 HSD6 [GACT, Subpart CCCCC]	Eight high speed disperser (HSD) vessels as follows: One 400 gallon capacity One 500 gallon capacity Four 660 gallon capacity One 1,000 gallon capacity One 1,400 gallon capacity	CD1	One cartridge-type bagfilter (6,000 square feet of filter area)

Emission Source I.D. No.	Emission Source Description	Control Device I.D. No.	Control Device Description
HLM2 [GACT, Subpart CCCCCCC]	One high/low mixer (660 gallon capacity)	CD1	One cartridge-type bagfilter (6,000 square feet of filter area)
FT1through FT4	Four fill tubs (100 gallon capacity each)	NA	NA
T&S3, T&S4, and T&S9 T&S12, T&S13, and T&S23 T&S30 T&S27, T&S28, and T&S29 T&S25 T&S21 and T&S22 T&S15 and T&S24 T&S14, T&S16, and T&S17 T&S26 T&S31 T&S32 and T&S33 T&S34 and T&S35 T&S36 and T&S37 [GACT, Subpart CCCCCCC]	Twenty-six thin and shade (T&S) tanks as follows: Three 660 gallon capacity Three 1,100 gallon capacity One 1,200 gallon capacity Three 1,400 gallon capacity One 2,000 gallon capacity Two 2,200 gallon capacity Two 3,000 gallon capacity Three 4,000 gallon capacity One 6,500 gallon capacity One 6,800 gallon capacity Two 5,000 gallon capacity Two 3,000 gallon capacity Two 3,000 gallon capacity	CD1	One cartridge-type bagfilter (6,000 square feet of filter area)
UVT1 and UVT2 UVT3 and UVT4 [GACT, Subpart CCCCCCC]	Ultraviolet light curable paint manufacturing operations and processes consisting of the following: Two blending tanks (250 gallon capacity each) Two blending tanks (500 gallon capacity each)	CDUV1	One bagfilter (3,000 square feet of filter area)

Emission Source I.D. No.	Emission Source Description	Control Device I.D. No.	Control Device Description
PM31 PM81 and PM82 PM101, PM102, PM103, PM104, PM107, PM108, and PM109 PM131 and PM132 PM181, PM182, PM183, PM184, and PM185 PM258 and PM259 PM301, PM302, PM303, and PM304 PM351 PM&T1 PM251 PM305 [GACT, Subpart CCCCCC]	Portable mixing tanks as follows: One 30 gallon capacity Two 80 gallon capacity Seven 100 gallon capacity Two 130 gallon capacity Five 180 gallon capacity Two 250 gallon capacity Four 300 gallon capacity One 350 gallon capacity One 235 gallon capacity (mix and thin) One 250 gallon capacity One 300 gallon capacity	CDUV1	One bagfilter (3,000 gallon capacity)
DSSB1	One spray booth	NA	NA
SB1/2HP1 through SB1/2HP10, SB3/4HP1 through SB3/4HP10, SB3HP1 through SB3HP10, and SB15HP6 through SB15HP10	Thirty five dispersers (30 horsepower or less each)	NA	NA
ES-IPT1 and ES- IPT2	Intermediate storage tanks as follows: Two 3,000 gallon capacity	NA	NA

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

2.1 - Emission Source(s) Specific Limitations and Conditions

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

A. Uncontrolled sources including the following:

Seven filling lines (ID Nos. FFL1 and FFL3 through FFL8)

Six continuous media mills (ID Nos. FCOM1, FCOM2, and FCOM4 through FCOM7)

Twelve resin storage tanks (ID Nos. RT5 through RT8, RT10 through RT16, and ESRT9)

Twenty-three solvent storage tanks (ID Nos. ST1 through ST23)

Four fill tubs (ID Nos. FT1 through FT4)

One spray booth (ID No. DSSB1)

Thirty-five dispersers (ID Nos. SB1/2HP1 to SB1/2HP10, SB3/4HP1 to SB3/4HP10, SB3HP1 to SB3HP10, and SB15HP6 to SB15HP10)

Two intermediate storage tanks (ID Nos. ES-IPT1 and ES-IPT2)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	(ID No. DSSB1 only) $E = 4.10 \times P^{0.67}$ Where: E = allowable emission rate in pounds per hour P = process weight in tons per hour	15A NCAC 2D .0515
Visible emissions	(ID No. DSSB1 only) 20 percent opacity	15A NCAC 2D .0521
Odors	State-enforceable only See Section 2.2 A.1	15A NCAC 2D .1806
Volatile organic compounds	See Section 2.2 A.2	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only See Section 2.2 A.3	15A NCAC 2Q .0711
Toxic air pollutants	State-enforceable only See Section 2.2 A.4	15A NCAC 2D .1100
Hazardous air pollutants	See Section 2.2 A.5	15A NCAC 2Q .0317 (MACT Avoidance)

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

- a. Emissions of particulate matter from this source (**ID No. DSSB1**) shall not exceed an allowable emission rate as calculated by the following equation:

$$E = 4.10 \times P^{0.67} \quad \text{Where: } E = \text{allowable emission rate in pounds per hour}$$

$$P = \text{process weight in tons per hour}$$

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 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515.

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

- c. The Permittee shall maintain production records **such that the process rates “P” in tons per hour, as specified by the formula contained above can be derived, and** shall make these records available to a DAQ authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the production records are not maintained or the types of materials and finishes are not monitored.
- d. **No reporting is required for particulate emissions from this source (ID No. DSSB1).**

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

- a. Visible emissions from this source (**ID No. DSSB1**) 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 A.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 month the Permittee shall observe the emission points of this source (**ID No. DSSB1**) for any visible emissions above normal. The monthly observation must be made for each month of the calendar year period to ensure compliance with this requirement. If visible emissions from this source are observed to be above normal, the Permittee shall either:
 - i. take appropriate action to correct the above-normal emissions 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.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.

B. Controlled sources including the following:

Eight high speed disperser vessels (ID Nos. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, and HSD40),

One high/low mixer (ID No. HLM2), and

Twenty-six thin and shade tanks (ID Nos. T&S3, T&S4, T&S9, T&S12 through T&S17, and T&S21 through T&S37),

with associated cartridge-type bagfilter (ID No. CD1)

Ultraviolet light curable paint manufacturing operations and processes consisting of four blending tanks (ID Nos. UVT1 through UVT4) and

Twenty-seven portable mixing tanks (ID Nos. PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1),

with associated bagfilter (ID No. CDUV1)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ Where: E = allowable emission rate in pounds per hour P = process weight in tons per hour	15A NCAC 2D .0515
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Odors	State-enforceable only See Section 2.2 A.1	15A NCAC 2D .1806
Volatile organic compounds	See Section 2.2 A.2	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only See Section 2.2 A.3	15A NCAC 2Q .0711
Toxic air pollutants	State-enforceable only See Section 2.2 A.4	15A NCAC 2D .1100
Hazardous air pollutants	See Section 2.2 A.5	15A NCAC 2Q .0317 (MACT Avoidance)

Regulated Pollutant	Limits/Standards	Applicable Regulation
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing See Section 2.2 A.6	15A NCAC 2D .1111 (40 CFR 63, Subpart CCCCCC)

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

- a. Emissions of particulate matter from these sources (**ID Nos. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, HSD40, HLM2, T&S3, T&S4, T&S9, T&S12 through T&S17, T&S21 through T&S37, UVT1 through UVT4, PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1**) shall not exceed an allowable emission rate as calculated by the following equation:

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

Where: E = allowable emission rate in pounds per hour
P = process weight 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 B.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. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, HSD40, HLM2, T&S3, T&S4, T&S9, T&S12 through T&S17, T&S21 through T&S37, UVT1 through UVT4, PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1**) shall be controlled by **two bagfilters (ID Nos. CD1 and CDUV1) 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:
 - i. a monthly visual inspection of the system ductwork and material collection units for leaks; and
 - ii. an annual (**for each 12 month period following the initial inspection**) internal inspection of the bagfilters' structural integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the ductwork and bagfilters are not inspected and maintained.

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

- iii. the results of any maintenance performed on the control devices; 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. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, HSD40, HLM2, T&S3, T&S4, T&S9, T&S12 through T&S17, T&S21 through T&S37, UVT1 through UVT4, PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1**) 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.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 month the Permittee shall observe the emission points of these sources (**ID Nos. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, HSD40, HLM2, T&S3, T&S4, T&S9, T&S12 through T&S17, T&S21 through T&S37, UVT1 through UVT4, PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1**) for any visible emissions above normal. The monthly observation must be made for each month of the calendar year period to ensure compliance with this requirement. If visible emissions from these sources are observed to be above normal, the Permittee shall:
 - 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 in below the limit given in Section 2.1 B.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

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Odors	State-enforceable only Odorous emissions must be controlled	15A NCAC 2D .1806
Volatile organic compounds	Work practice standards	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only Toxic permit emission rates (TPERs)	15A NCAC 2Q .0711
Toxic air pollutants	State-enforceable only Modeled emission rates	15A NCAC 2D .1100
Hazardous air pollutants	Less than 10 tons per year any individual HAP; and Less than 25 tons per year any combination of HAPs	15A NCAC 2Q .0317 (MACT Avoidance)
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing	15A NCAC 2D .1111 (40 CFR 63, Subpart CCCCCC)

State-enforceable only

1. 15A NCAC 2D .1806: CONTROL 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.

2. 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 (VOCs) 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; 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 closable 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,
 - 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,
 - v. not agitate solvent to the point of causing splashing.

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

- c. To assure 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.

State-enforceable only

- 3. 15A NCAC 2Q .0711: EMISSION RATES REQUIRING A PERMIT** – Pursuant to 15A NCAC 2Q .0711 for each of the below listed toxic air pollutants (TAPs), the Permittee has made a demonstration that facility-wide actual emissions do not exceed the Toxic Permit Emission Rates (TPERs) listed in 15A NCAC 2Q .0711. The facility shall be operated and maintained in such a manner that emissions of any listed TAPs from the facility, including fugitive emissions, will not exceed TPERs listed in 15A NCAC 2Q .0711.
- A permit to emit any of the below listed TAPs shall be required for this facility if actual emissions from all sources will become greater than the corresponding TPERs.
 - Prior to exceeding any of these listed TPERs, the Permittee shall be responsible for obtaining a permit to emit TAPs and for demonstrating compliance with the requirements of 15A NCAC 2D .1100 “Control of Toxic Air Pollutants.”
 - In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPERs listed below:

Pollutant (CAS Number)	TPERs Limitations			
	Carcinogens (lbs/yr)	Chronic Toxicants (lbs/day)	Acute Systemic Toxicants (lbs/hr)	Acute Irritants (lbs/hr)
Ammonia (7664-41-7)				0.68
Chlorobenzene (108-90-7)		46		
Cresol (1319-77-3)			0.56	
Ethyl Acetate (141-78-6)			36	
Formaldehyde (50-00-0)				0.04
Methyl isobutyl ketone (108-10-1)		52		7.6
Phenol (108-95-2)			0.24	
Toluene (108-88-3)		98		14.4
Xylene (1330-20-7)		57		16.4

State-enforceable only

- 4. 15A NCAC 2D .1100: CONTROL OF AIR TOXICS** – Pursuant to 15A NCAC 2D .1100 and in accordance with the approved application for an air toxic compliance demonstration, the following permit limits shall not be exceeded:

Emission Source(s)	Toxic Air Pollutant(s) (CAS Number)	Emission Limit(s) (pounds per day)
Dust collector (ID No. CD-1)	Methyl ethyl ketone (78-93-3)	104.4
Ventilation fan		18.1
Puffer vent		16.7
Still vent		51.8
Solvent tank (ID No. ST21)		0.8
Solvent tank (ID No. ST6)		1.1
Solvent tank (ID No. ST2)		3.5
Solvent tank (ID No. ST7)		1.0

- a. To ensure compliance with the above limits, the facility's production rate shall not exceed 65,000 gallons of coating material per day. The facility shall be responsible for recording and maintaining the daily production rate and reporting the results as specified below.
- b. Within 30 days after each calendar year quarter the Permittee shall report to the Regional Supervisor, DAQ a summary of the highest single day production rate value, provided the value does not exceed the value specified above. If the highest value exceeds the specified value, the facility shall report all daily production rates for the entire calendar year quarter.

**5. 15A NCAC 2Q .0317: AVIODANCE CONDITIONS
for 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**

- a. In order to remain classified a minor source for hazardous air pollutants (HAPs) and avoid applicability of this regulation, facility emissions shall be less than:
 - i. 10 tons per year of each HAP, and
 - ii. 25 tons per year of all HAP combined.
 The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if the HAP emissions exceed these limits.

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

- b. The Permittee shall maintain monthly consumption records of each HAP containing material used such that the following can be calculated:
 - i. quantity of individual HAP in pounds emitted by the plant each month and for the 12-month period ending on that month.
 - ii. quantity of all HAP in pounds emitted by the plant each month and for the 12-month period ending on that month.
 The calculations shall be based on the version of Sherwin-William's Air Pollutant Emissions Module that was used for the most recently accepted emission inventory (as described in Section 3).
- c. The Permittee shall keep a record of the applicability determination on-site at the source for a period of five years after the determination, or until the source becomes an affected source. The determination must include the analysis demonstrating why the Permittee believes the source is unaffected pursuant to 40 CFR 63.10(b)(3). The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these records are not maintained.

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

- d. The Permittee shall submit a semi-annual 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. The report shall contain the monthly individual HAP and total HAP emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months.
- 6. 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY** - For these sources (**ID Nos. HSD1, HSD6, HSD7, HSD8, HSD10, HSD11, HSD20, HSD40, HLM2, T&S3, T&S4, T&S9, T&S12 through T&S17, T&S21 through T&S37, UVT1 through UVT4, PM31, PM81, PM82, PM101 through PM104, PM107 through PM109, PM131, PM132, PM181 through PM185, PM251, PM258, PM259, PM301 through PM305, PM351, and PM&T1**), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .1111, "Maximum Achievable Control Technology" as promulgated in 40 CFR 63, Subpart CCCCCC, "National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing", including Subpart A "General Provisions." This rule applies to facilities that perform paints and allied products manufacturing that are an area source of hazardous air pollutant (HAP) emissions and process, use, or generate materials containing one or more of the following HAP: benzene, methylene chloride, and compounds of cadmium, chromium, lead, and nickel in amounts greater than 0.1% by weight for carcinogens or 1.0% by weight for non-carcinogens.
- a. **Compliance Dates** - The Permittee shall achieve compliance with the applicable provisions in this permit condition by **December 3, 2012**.
- b. **Standards and Compliance Requirements (Particulate Control)** - For each affected source, the Permittee shall comply with the following requirements. These requirements apply at all times.
- i. **Addition of dry pigments or solids that contain target metal HAP to process vessels OR to the grinding or milling process device:**
- A. Operate a capture system that minimizes fugitive particulate emissions and route them to a control device with visible emissions of less than 10% opacity. The opacity requirement does not apply to particulate control devices that do not vent to the atmosphere; OR
- B. Add pigments and solids to vessels in liquid, slurry, or paste form.
- ii. **Grinding and milling** of materials containing the target metal HAP:
- A. Capture particulate emissions and route them to a control device with visible emissions of less than 10% opacity. The opacity requirement does not apply to particulate control devices that do not vent to the atmosphere; OR
- B. Fully enclose the grinding and milling equipment during this process; OR
- C. Ensure that the pigments and solids are in the solution during the grinding and milling.
- c. **Initial Particulate Control Device Inspection** - The Permittee shall conduct an initial inspection of each particulate control device according to the following requirements:
- i. The Permittee shall conduct the initial inspection by **June 1, 2013**.
- ii. For each **dry particulate control system**, the Permittee shall visually inspect the system ductwork and dry particulate control unit for leaks. The Permittee shall also inspect the inside of each dry particulate control unit for structural integrity and condition.

- iii. An initial inspection of the internal components of the particulate control system is not required if there is a record that an inspection meeting the requirements of this subsection has been performed within the past 12 months and any maintenance actions have been resolved.
- d. Initial Particulate Control Device Compliance Test Requirements –
 - i. The Permittee shall conduct the initial compliance test by **June 1, 2013**.
 - ii. For each particulate control device, the Permittee shall conduct a visible emission test consisting of three 1-minute test runs using Method 203C (40 CFR part 51, appendix M). The visible emission test runs shall be performed during the addition of dry pigments and solids containing compounds of cadmium, chromium, lead, or nickel to a process vessel or to the grinding and milling equipment. If the average test results of the visible emissions test runs indicate opacity greater than 10%, the Permittee shall take corrective action and retest within 15 days.
 - iii. At least 45 days prior to performing the required emissions testing, the Permittee shall submit a testing protocol to the Regional Supervisor, DAQ for review and approval. All testing protocols shall be approved by the DAQ prior to performing such tests; and
 - iv. To afford the Regional Supervisor, DAQ, the opportunity to have an observer present, the Permittee shall PROVIDE the Regional Office, in WRITING, at least 7 days notice of any required performance test.
 - v. The results of this test shall be submitted with the Notification of Compliance Status.
- e. Ongoing Particulate Control Device Inspection and Testing Requirements –
 - i. Dry Particulate Control System Inspection Requirements: The Permittee shall inspect and maintain each dry particulate control system according to the following requirements.
 - A. The Permittee shall conduct weekly visual inspections of any flexible ductwork for leaks.
 - B. The Permittee shall conduct inspections of the rigid, stationary ductwork for leaks, and the interior of the dry particulate control unit for structural integrity and to determine the condition of the fabric filter (if applicable) every 12 months.
 - ii. Ongoing Visual Testing Requirements for Particulate Control Systems: For each particulate control device, the Permittee shall conduct a 5-minute visual determination of emissions from the particulate control device every 3 months using Method 22 (40 CFR part 60, appendix A-7). The visible emission test shall be performed during the addition of dry pigments and solids containing compounds of cadmium, chromium, lead, or nickel to a process vessel or to the grinding and milling equipment. If visible emissions are observed for two minutes of the required 5-minute observation period, the Permittee shall conduct a Method 203C (40 CFR part 51, appendix M) test within 15 days of the time when visible emissions were observed. The Method 203C test will consist of three 1-minute test runs and shall be performed during the addition of dry pigments and solids containing compounds of cadmium, chromium, lead, or nickel HAP to a process vessel or to the grinding and milling equipment. If the Method 203C test runs indicate greater than 10% opacity visible emissions, the Permittee shall comply with the following:
 - A. The Permittee shall take corrective action and retest using Method 203C within 15 days. The Method 203C test will consist of three 1-minute test runs and shall be performed during the addition of dry pigments and solids containing compounds of cadmium, chromium, lead, or nickel to a process vessel or to the grinding and milling equipment. The Permittee shall continue to take corrective action and retest each 15 days until a Method 203C test indicates an opacity equal to or less than 10% opacity.
 - B. The Permittee shall prepare a deviation report in accordance with §63.11603(b)(3) for each instance in which the Method 203C opacity results were greater than the limitation in §63.11601(a)(5).

- C. The Permittee shall resume the visible determinations of emissions from the particulate control device in accordance with the requirements of this section 3 months after the previous visible determination.
- f. Recordkeeping Requirements - In accordance with 40 CFR 63.11602 and 63.11603, the Permittee shall maintain records of the following:
 - i. Copies of the Initial Notification of Applicability, the Notification of Compliance Status, and each Annual Compliance Certification Report.
 - ii. The Permittee shall record the following information for each inspection and testing activity:
 - A. The date, place, and time;
 - B. Person conducting the activity;
 - C. Technique or method used;
 - D. Operating conditions during the activity;
 - E. Results; and
 - F. Description of correction actions taken.
 - iii. The Permittee shall keep each record for 5 years following the date of each recorded action. The Permittee shall keep each record onsite for at least 2 years after the date of each recorded action according to §63.10(b)(1). The Permittee may keep the records offsite for the remaining 3 years.
- g. Reporting Requirements - In addition to the notification requirements of the Environmental Protection Agency (EPA), the Permittee is required to NOTIFY the Regional Supervisor, DAQ, in WRITING, of the following:
 - i. An Initial Notification of Applicability including a description of the affected sources shall be submitted in accordance with 40 CFR 63.1160(a) by **June 1, 2010**.
 - ii. A Notification of Compliance Status shall be submitted on or before **June 3, 2013**. The notice shall contain the following information:
 - A. The company's name and address;
 - B. A statement by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification, a description of the method of compliance (i.e., compliance with management practices, installation of a wet or dry scrubber) and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart.
 - C. A copy of the initial particulate control device compliance test, if applicable.
 - iii. An Annual Compliance Certification report shall be prepared by January 31 of each year. This report does not need to be submitted unless a deviation from the requirements of this subpart has occurred. If a deviation has occurred during the year, each annual compliance certification report shall be submitted along with the deviation report, and postmarked no later than February 15. The report shall contain the following information:
 - A. Company name and address;
 - B. A statement in accordance with §63.9(h) of the General Provisions that is signed by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart; and
 - C. Date of report and beginning and ending dates of the reporting period.

- D. Deviation Report - If a deviation has occurred during the reporting period, the Permittee shall include a description of deviations from the applicable requirements, the time periods during which the deviations occurred, and the corrective actions taken. This deviation report shall be submitted along with the annual compliance certification report.

2.3 – Other Applicable Requirements

State-enforceable only

A. Facility-wide affected sources

1. NCGS 143-215.63 and 143-215.108

As authorized by North Carolina General Statutes 143-215.63 and 143-215.108, the DAQ requires this facility to maintain permanent ID numbers to all permitted equipment.

SECTION 3 - GENERAL CONDITIONS (v3.5)

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 NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

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

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)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 2D. 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 owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.

2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
 - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
 - (1) Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.
 - (2) Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
 - (3) Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
 - b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 2D .2600 has precedence over all other tests.

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.

OO. **Third Party Participation and EPA Review** [15A NCAC 2Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environment Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 2Q .0518 begins at the end of the 45-day EPA review period.

ATTACHMENT

List of Acronyms

AOS	Alternate Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
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	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound