

ROY COOPER  
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MICHAEL ABRACZINSKAS  
Director



NORTH CAROLINA  
Environmental Quality

**TBD**

William Smith  
Projects General Manager  
Edgecombe Power Station  
6358 Old Battleboro Road  
Battleboro, North Carolina 27809

SUBJECT: Air Quality Permit No. 06563T18  
Facility ID: 3300146  
Edgecombe Power Station  
Battleboro, Edgecombe County, North Carolina  
Fee Class: Title V  
PSD Status: Major

Dear Mr. Smith:

In accordance with the permit application for a renewal of a Title V permit, received May 1, 2018, and renewal of a Title IV permit, received May 25, 2018, we are forwarding herewith Air Quality Permit No. 06563T18 to Edgecombe Power Station, 6358 Old Battleboro Road, Battleboro, North Carolina, authorizing the construction and operation, of the emission source and associated air pollution control device specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code (NCAC) 02Q .0503(8) have been listed for informational purposes as "ATTACHMENT 1" to this cover letter. 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.

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.



North Carolina Department of Environmental Quality | Division of Air Quality  
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641  
919.707.8400

Mr, William Smith

TBD

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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 NCGS 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 NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Edgecombe County has triggered PSD increment tracking for PM10, SO2, and NOx. The above-mentioned permit applications and this new permit are not expected to consume or expand increments for any pollutants.

This Air Quality Permit shall be effective from TBD until TBD, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein. The changes made to the permit are summarized in an attachment to this letter. Should you have any questions concerning this matter, please contact Russell Braswell at 919-707-8731 or [russell.braswell@ncdenr.gov](mailto:russell.braswell@ncdenr.gov).

Sincerely yours,

William D. Willets, P.E., Chief, Permitting  
Section  
Division of Air Quality, NCDEQ

Enclosure

c: Heather Ceron (EPA Region 4, with review)  
Connie Horn (cover letter only)  
Raleigh Regional Office  
Central Files

**ATTACHMENT to Cover Letter to Air Quality Permit 06563T18  
Edgecombe Power Station**

**INSIGNIFICANT ACTIVITIES per 15A NCAC 02Q .0503(8)**

ID No.	Emission Source Description
IS-5-1	diesel fuel storage tank (1000 gallons)
IS-5-2	diesel fuel storage tank (360 gallons)
IS-2	kerosene storage tank (500 gallons)
IS-6-1 and 6-2	two solvent parts cleaners (35 gallons each)
IS-4-1 and 4-2	two cooling towers
IES-7 (MACT, Subpart ZZZZ)	diesel-fired emergency firepump (196 horsepower maximum capacity)

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 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit".
3. For additional information regarding the applicability of MACT or GACT see the DAQ page titled "Specific Permit Conditions Regulatory Guide." The link to this site is as follows: <http://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>.

## Table of Changes

The following changes were made to the Edgcombe Power Station Air Permit No. 06563T17:

Page*	Condition/ Item*	Description of Change(s)
Throughout	Throughout	<ul style="list-style-type: none"> <li>• Updated dates/permit numbers.</li> <li>• Fixed formatting.</li> <li>• Updated permit language to latest DAQ standard.</li> <li>• Updated name to "Edgcombe Power Station"</li> </ul>
n/a	Insignificant Activities List	<ul style="list-style-type: none"> <li>• Moved fire pump to this list.</li> </ul>
Complete in final version	Permitted Emission Source List	<ul style="list-style-type: none"> <li>• Removed ES-7, moved to the Insignificant Activities List.</li> </ul>
	2.1 A.1.	<ul style="list-style-type: none"> <li>• Rewrote condition to better reflect requirements of the rule. Overall, the permit requirements should not change.</li> </ul>
	2.1 A.2.	<ul style="list-style-type: none"> <li>• Rewrote monitoring/recordkeeping section to be clearer and reduce repetition.</li> </ul>
	2.1 A.3.	<ul style="list-style-type: none"> <li>• Reformatted CAM plan to match current DAQ standard.</li> <li>• Removed categorical exemption for periods of SSM because this is not included in 40 CFR Part 64.</li> <li>• Added additional reporting as required by 40 CFR Part 64</li> </ul>
	2.1 A.4.	<ul style="list-style-type: none"> <li>• Included permit condition for 40 CFR Part 63 Subpart UUUUU.</li> </ul>
	2.1 E. (former)	<ul style="list-style-type: none"> <li>• Removed this section because ES-7 is now part of the Insignificant Activities List.</li> </ul>
	2.2 A.	<ul style="list-style-type: none"> <li>• Noted date of most recent TAP demonstration.</li> <li>• Noted that no additional recordkeeping/reporting is required.</li> </ul>
	2.3 (former)	<ul style="list-style-type: none"> <li>• Removed the permit shield section because all of the included regulations have expired.</li> </ul>
	3.	<ul style="list-style-type: none"> <li>• Updated general conditions to v 5.3.</li> </ul>

\* This refers to the current permit unless otherwise stated.



## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
<b>06563T18</b>	<b>06563T17</b>	<b>TBD</b>	<b>TBD</b>

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 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, 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:**

**Edgecombe Power Station**

**Facility ID:**

**3300146**

**Facility Site Location:**

**6358 Old Battleboro Road**

**City, County, State, Zip:**

**Battleboro, Edgecombe County, North Carolina 27809**

**Mailing Address:**

**6358 Old Battleboro Road**

**City, State, Zip:**

**Battleboro, North Carolina 27809**

**Application Numbers:**

**3300146.18A & .18B**

**Complete Application Date:**

**May 1, 2018 (.18A), May 25, 2018 (.18B)**

**Primary SIC Code:**

**4911**

**Division of Air Quality,**

**Raleigh Regional Office**

**Regional Office Address:**

**3800 Barrett Drive**

**Raleigh, North Carolina 27609**

Permit issued this **the TBD day of TBD.**

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DRAFT

## 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:

Page Nos.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
Complete in final version	ES-1-1A and ES-1-1B (Unit 1), ES-2-2A and ES-2-2B (Unit 2)  (PSD; NSPS, Subpart Da; CAM; MACT, Subpart UUUU)	Four coal, natural gas, No. 2 fuel oil, No. 4 fuel oil, tire derived fuel (TDF), wood chip-fired electric steam generating boilers (375 million Btu per hour rated heat input each)	CD-1-1E, CD-1-1F, CD-2-2E, and CD-2-2F  CD-1-1C, CD-1-1D, CD-2-2C, and CD-2-02D  CD-1-1A, CD-1-1B, CD-2-2A, and CD-2-2B	Four flue gas recirculation (FGR) with methane re-burn units <sup>1</sup>  Four dry lime flue gas desulfurization (FGD) units  Four bagfilters (35,871 square feet of filter area each),
00-00,	ES-2A, ES-2B, ES-2C, and ES-02D (PSD)	Four coal bunkers	CD-2A, CD-2B, CD-2C, and CD-02D	Four bagfilters (161 square feet of filter area each)
	ES-3 (PSD)	One fly ash silo with wet slurry pugmill for unloading	CD-3	One silo bin vent (100 square feet of filter area)
	ES-4 (PSD)	One bottom ash silo wet slurry pugmill for unloading	CD-4	One silo bin vent (100 square feet of filter area)
	ES-5A, ES-5B, and ES-5C	Three ash system vacuum transport pumps (one of which is a back-up)	CD-5F and CD-5G  CD-5D and CD-5E  CD-5A and CD-5B	Two primary simple cyclones (42 inches in diameter each) [located at the bottom ash silos]  Two bagfilters (419 square feet of filter area each) [located at the fly ash silos]  Two in-line filters (one per pump)
	ES-1-6 and ES-2-6	Two recycle ash silos (one per unit) each with a wet mixer unloader	CD-1-6A and CD-2-6A	Two bagfilters (180 square feet of filter area each)
	ES-1-7 and ES-2-7 (PSD)	Two lime storage silos (one per unit)	CD-1-7 and CD-2-7	Two bagfilters (202 square feet of filter area each)
	ES-6 (PSD)	Coal unloading/storage and transfer	WETSUP	Wet suppression/chemical binder

1. These units are not used to comply with and are not necessary to comply with 40 CFR Part 60 Subpart Da or 15A NCAC 02D .0530.

## SECTION 2- SPECIFIC LIMITATIONS AND CONDITIONS

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

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

- A. Four coal, natural gas, No. 2 fuel oil, No. 4 fuel oil, TDF, wood chip-fired boilers (ID Nos. ES-1-1A, ES-1-1B, ES-2-2A and ES-2-2B) with associated bagfilters (ID Nos. CD-1-1A, CD-1-1B, CD-2-2A and CD-2-2B), FGD units (ID Nos. CD-1-1C, CD-1-1D, CD-2-2C and CD-2-02D), and FGR with methane reburn units (ID Nos. CD-1-1E, CD-1-1F, CD-2-2E, and CD-2-2F)**

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	0.03 pounds per million Btu heat input	15A NCAC 02D .0524 <b>40 CFR Part 60, Subpart Da (\$60.42Da)</b>
	0.02 pounds per million Btu heat input	15A NCAC 02D .0530
	Compliance Assurance Monitoring (CAM)	15A NCAC 02D .0614 <b>40 CFR Part 64</b>
	3.0E-2 pounds per million Btu	15A NCAC 02D .1111: <b>40 CFR Part 60, Subpart UUUUU</b>
Sulfur dioxide	<p><b>Solid fuel:</b> 0.60 pounds per million Btu heat input and 70% reduction determined on a 30 day rolling average</p> <p><b>Liquid or gaseous fuel:</b> 0.80 pounds per million Btu heat input and 90% reduction determined on a 30 day rolling average</p> <p><b>Firing a combination of fuels:</b> See Section 2.1 A.1.c.iii</p>	15A NCAC 02D .0524 <b>40 CFR Part 60, Subpart Da (\$60.43Da)</b>
	0.31 pounds per million Btu heat input and 90% reduction	15A NCAC 02D .0530
	2.0E-1 pounds per million Btu	15A NCAC 02D .1111: <b>40 CFR Part 60, Subpart UUUUU</b>
	(Federally enforceable only) Cross State Air Pollution Rule (CSAPR) <b>See Section 2.4.</b>	40 CFR Part 97 Subparts AAAAA, BBBB, and CCCCC
	(Federally enforceable only) Acid Rain Permit Requirements <b>See Section 2.5.</b>	15A NCAC 02Q .0400



Regulated Pollutant	Limits/Standards	Applicable Regulation
Nitrogen oxides	<b>Solid fuel:</b> See Section 2.1 A.1.d.i  <b>Liquid fuel:</b> 0.30 pounds per million Btu heat input  <b>Gaseous fuel:</b> 0.20 pounds per million Btu heat input  <b>Firing a combination of fuels:</b> See Section 2.1 A.1.d.iv	15A NCAC 02D .0524 <b>40 CFR Part 60, Subpart Da (\$60.44Da)</b>
	0.60 pounds per million Btu heat input	15A NCAC 02D .0530
	(Federally enforceable only) Cross State Air Pollution Rule (CSAPR) <b>See Section 2.4.</b>	40 CFR Part 97 Subparts AAAAA, BBBB, and CCCCC
	(Federally enforceable only) Acid Rain Permit Requirements <b>See Section 2.5.</b>	15A NCAC 02Q .0400
Carbon monoxide	0.20 pounds per million Btu heat input	15A NCAC 02D .0530
Sulfuric acid mist	0.0021 pounds per million Btu heat input	15A NCAC 02D .0530
Mercury	1.2 pounds per trillion Btu	15A NCAC 02D .1111: <b>40 CFR Part 60, Subpart UUUUU</b>
Opacity	20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent opacity	15A NCAC 02D .0524: <b>40 CFR Part 60, Subpart Da (\$60.42Da)</b>
Toxic air pollutants	(State-enforceable Only) Recordkeeping for alternative fuel use.	15A NCAC 02Q .0700
	(State-enforceable Only) <b>See Section 2.2A</b>	15A NCAC 02D .1100
	(State-enforceable Only) <b>See Section 2.2B</b>	15A NCAC 02Q .0711

**1. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS (40 CFR PART 60 SUBPART Da)**

- a. The Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 02D .0524 "New Source Performance Standards (NSPS) as promulgated in 40 CFR Part 60 Subpart Da, including Subpart A "General Provisions."
- b. **Particulate matter (PM)**- When firing solid fuel, liquid, or gaseous fuel, PM emissions shall be limited to 0.03 pounds per million Btu heat input. [40 CFR 60.42Da(a)]
- c. **Sulfur dioxide (SO<sub>2</sub>):**

- i. When firing solid fuel, SO<sub>2</sub> emissions shall be limited to 0.60 pounds per million Btu heat input and 70% reduction.
- ii. When firing liquid or gaseous fuel, SO<sub>2</sub> emissions shall be limited to 0.80 pounds per million Btu heat input and 90% reduction.
- iii. When firing a combination of fuels simultaneously, SO<sub>2</sub> emissions shall be limited by Equations 1 and 2:

$$E_s = \frac{(340x + 520y)}{100} \quad \text{[Equation 1]}$$

$$\%P_s = \frac{(10x + 30y)}{100} \quad \text{[Equation 2]}$$

Where:

$E_s$  = Prorated SO<sub>2</sub> emission limit (ng/J heat input);

$\%P_s$  = Percentage of potential SO<sub>2</sub> emission allowed;

$x$  = Percentage of total heat input derived from the combustion of liquid or gaseous fuels (excluding solid-derived fuels); and

$y$  = Percentage of total heat input derived from the combustion of solid fuel (including solid-derived fuels).

(to convert from ng/J to lb/mmBtu, divide by 430)

[§60.43Da(a)(2), (b)(1), and (h)(2)]

**d. Nitrogen oxides (NO<sub>x</sub>):**

- i. When firing solid fuel, NO<sub>x</sub> emissions shall be limited according to subsections A through D below:
  - A. Subbituminous coal: 0.50 pounds per million Btu
  - B. Bituminous coal: 0.60 pounds per million Btu
  - C. Anthracite coal: 0.60 pounds per million Btu
  - D. All other [solid] fuels: 0.60 pounds per million Btu
- ii. When firing gaseous fuel, NO<sub>x</sub> emissions shall be limited to 0.20 pounds per million Btu heat input.
- iii. When firing liquid fuel, NO<sub>x</sub> emissions shall be limited to 0.30 pounds per million Btu heat input.
- iv. When firing a combination of fuels simultaneously, NO<sub>x</sub> emissions shall not be in excess of the rate calculated by Equation 3:

$$E_n = \frac{(86w + 130x + 210y + 260z + 340v)}{100} \quad \text{[Equation 3]}$$

Where:

En = Applicable NOx emissions limit when multiple fuels are combusted simultaneously (ng/J heat input);

w = Percentage of total heat input derived from the combustion of fuels subject to the 86 ng/J (0.20 lb/MMBtu) heat input standard;

x = Percentage of total heat input derived from the combustion of fuels subject to the 130 ng/J (0.30 lb/MMBtu) heat input standard;

y = Percentage of total heat input derived from the combustion of fuels subject to the 210 ng/J (0.50 lb/MMBtu) heat input standard;

z = Percentage of total heat input derived from the combustion of fuels subject to the 260 ng/J (0.60 lb/MMBtu) heat input standard; and

v = Percentage of total heat input delivered from the combustion of fuels subject to the 340 ng/J (0.80 lb/MMBtu) heat input standard (for this facility, v is zero).

(to convert from ng/J to lb/mmBtu, divide by 430)

[§60.44Da(a)(1), (2)]

- e. **Opacity** - Each boiler shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (six-minute average), except for one six-minute period per hour of not more than 27 percent opacity. [§60.42Da(b)]

**Testing** [15A NCAC 02Q .0508(f)]

- f. If emissions testing is required, the Permittee shall perform such testing in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.1.b through e above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

**Compliance provisions** [15A NCAC 02Q .0508(f), 40 CFR 60.48Da(a) through (h)]

- g. The applicable emission limits and standards for PM, opacity, SO<sub>2</sub>, and NO<sub>x</sub> apply at all times except during periods of startup, shutdown, or malfunction. [§60.48Da(a)]
- h. i. Compliance with the SO<sub>2</sub> and NO<sub>x</sub> emission limits shall be based on 30-day rolling average emission rates. [§60.48Da(b),(d)]
- ii. If the Permittee has not obtained the minimum quantity of emission data as required under Sections 2.1 A.1.k through t below, compliance with the emission requirements under Sections 2.1 A.1.c and d above for the day on which the 30-day period ends may be determined by the Administrator by following the applicable procedures in section 7 of Method 19 of appendix A of this 40 CFR Part 60. [§60.48Da(h)]
- i. i. Compliance with the SO<sub>2</sub> percentage reduction requirement shall be determined using the average inlet and outlet SO<sub>2</sub> emission rates for 30 successive boiler operating days. [§60.48Da(e)]
- ii. Compliance with the PM emission limit shall be determined using the arithmetic average of all hourly emission rates each boiler operating day, except for data obtained during startup, shutdown, or malfunction periods. Daily averages are only calculated for boiler operating days that have non-out-of-control data for at least 18 hours of unit operation during which the standard applies, otherwise follow the requirements of §60.48Da(f). [§60.48Da(f)]

- j. The Permittee shall demonstrate compliance with opacity limits in 60.42Da(b) by monitoring as required by §60.49Da(a). [§60.48Da(q)]

If the Permittee does not meet the compliance requirements in Paragraphs g. through i., above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

**Monitoring** [15A NCAC 02Q .0508(f), 40 CFR 60.49Da]

- k. The Permittee shall install, calibrate, maintain, and operate a continuous opacity monitoring system (COMS) for measuring the opacity of emissions discharged to the atmosphere and record the output of the system. [§60.49Da(a)]
- l. The Permittee shall install, calibrate, maintain, and operate a continuous emission monitoring system (CEMS) for measuring SO<sub>2</sub> emissions and record the output of the system. SO<sub>2</sub> emissions are to be monitored at both the inlet and outlet of the SO<sub>2</sub> control device unless exempted by §60.49Da(b)(2) through (4). [§60.49Da(b)]
- m. The Permittee shall install, calibrate, maintain, and operate a CEMS for measuring NO<sub>x</sub> emissions discharged to the atmosphere and record the output of the system. [§60.49Da(c)]
- n. The Permittee shall install, calibrate, maintain, and operate a CEMS for measuring the oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) content of the flue gases at each location where SO<sub>2</sub> or NO<sub>x</sub> emissions are monitored, and record the output of the system. [§60.49Da(d)]
- o. Each CEMS shall be operated and data recorded during all periods of operation including startup, shutdown, and malfunction, except for CEMS breakdowns, repairs, calibration checks, and zero and span adjustments. [§60.49Da(e)]
- p. Emission data shall be obtained for at least 18 hours in at least 22 out of 30 successive boiler operating days, or data shall be supplemented per 40 CFR 60.49a(h). [§60.49Da(f)(1)]
- q. The 1-hour averages required under paragraph §60.13(h) are expressed in ng/J (lb/MMBtu) heat input and used to calculate the average emission rates under §60.48Da. The 1-hour averages are calculated using the data points required under §60.13(h)(2). [§60.49Da(g)]
- r. When it becomes necessary to supplement CEMS data to meet the minimum data requirements in Section 2.1 A.1.o above, the Permittee shall use the reference methods and procedures as specified in §60.49Da(h)(1) through (4). [§60.49Da(h)]
- s. The Permittee shall use the methods and procedures in §60.49Da(i)(1) through (5) to conduct monitoring system performance evaluations under §60.13(c) and calibration checks under §60.13(d). As an alternative, the Permittee may use the alternatives listed in §60.49Da(j)(1) through (4). [§60.49Da(i), (j)]
- t. For each CEMS used to demonstrate compliance with the emission limits in Sections 2.1 A.1.b. through e., above, the Permittee shall install, certify, operate, and maintain the CEMS as specified in §60.49Da(w). [§60.49Da(w)]

If the Permittee does not meet the monitoring requirements in Paragraphs k. through t., above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

**Recordkeeping/Reporting** [15A NCAC 02Q .0508(f), 40 CFR 60.51Da]

- u. The Permittee shall keep records of and report the following:
  - i. performance test data from the initial and subsequent performance test and from the performance

evaluation of the continuous monitors; [§60.51Da(a)]

- ii. SO<sub>2</sub> and NO<sub>x</sub> emission rates and associated information listed in §60.51Da(b);
- iii. If the minimum quantity of emission data is not obtained (per Section 2.1 A.1.h.ii above) for any 30 successive boiler operating days, the Permittee shall report the information listed in §60.51Da(c);
- iv. For any periods for which opacity, SO<sub>2</sub> or NO<sub>x</sub> emissions data are not available, the Permittee shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability. [§60.51Da(f)]
- v. The Permittee shall submit a signed statement indicating compliance with the requirements of §60.51Da(h)(1) through (4).
- v. For the purposes of the reports required under §60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards listed in Section 2.1 A.1.e above. Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter. [§60.51Da(i)]
- w. i. The Permittee shall submit a summary report of the information required in Sections 2.1 A.1.u and v above, 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. [§60.51Da(j)]
- ii. As an alternative to submitting the semiannual report for SO<sub>2</sub>, NO<sub>x</sub>, and/or opacity, the Permittee may submit a quarterly electronic report in a format approved by NC DAQ. The electronic report shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the Permittee, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period. [§60.51Da(k)]

## 2. 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

- a. Particulate matter (PM-10) emissions from each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall not exceed 0.02 pounds per million Btu heat input.
- b. Sulfur dioxide emissions from each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall not exceed 0.31 pounds per million Btu heat input and shall be reduced by 90 percent.
- c. Nitrogen oxide emissions from each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall not exceed 0.60 pounds per million Btu heat input.
- d. Carbon monoxide emissions from each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall not exceed 0.20 pounds per million Btu heat input.
- e. Sulfuric acid emissions from each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall not exceed 0.0021 pounds per million Btu heat input.

**Testing** [15A NCAC 02Q .0508(f)]

- f. If emissions testing is required, the Permittee shall perform such testing in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a through e., the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

**Monitoring** [15A NCAC 02Q .0508(f)]

- g. Particulate matter emissions from these sources (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall be controlled by four bagfilters as described above. To ensure 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. an annual (for each 12-month period following the previous inspection) internal inspection of the bagfilters for structural and fabric filter integrity; and
  - ii. a monthly visual inspection of the system ductwork and material collection unit for leaks.
- h. The Permittee shall install, operate, and maintain a pressure drop indicator on each bagfilter for continuous monitoring. The pressure drop across each bagfilter shall not exceed 10 inches of water.
- i. Each boiler and accompanying flue gas desulfurization system (FGD) shall be operated concurrently and in a manner for minimizing sulfur dioxide emissions. To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. The pre-approved Malfunction Abatement Plan (MAP) must be followed during a malfunction.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the pressure drop is not maintained within the prescribed limits and/or if the ductwork and bagfilters are not inspected and maintained.

**Recordkeeping** [15A NCAC 02Q .0508(f)]

- j. The results of control device inspections and maintenance shall be maintained in a logbook (written or electronic format) kept on-site and made available to an authorized DAQ representative upon request. The logbook shall record the following:
  - i. the date and time of each recorded action;
  - ii. the bagfilter pressure drop (once daily at a minimum) when the boiler is operating;
  - iii. weekly periods of boiler downtime;
  - iv. the results of each inspection or corrective action;
  - v. a report of any maintenance performed on the control devices; and
  - vi. any variance from manufacturer's recommendations, if any, and corrections made.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not created and maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- k. Within 30 days of a written request from the DAQ, the Permittee shall submit a report of any maintenance performed on a bagfilter or flue gas desulfurization system.

1. The Permittee shall submit a summary report of monitoring and recordkeeping activities listed in Section 2.1 A.2.g through j above 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.

**3. 15A NCAC 02D .0614: COMPLIANCE ASSURANCE MONITORING (CAM)**

- a. In order to assure compliance with the PM-10 emission limit under 15A NCAC 02D .0524 and 02D .0530, the Permittee shall operate the boilers (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) with their associated bagfilters (**ID Nos. CD-1-1A, CD-1-1B, CD-2-2A and CD-2-2B**).

**Monitoring** [15A NCAC 02Q .0508(f)]

- b. The Permittee shall comply with the monitoring approach as included in the following Table:

<b>A. General Criteria</b>	
<b>1. Indicator</b>	<b>Visible emissions (VE)</b>
<b>2. Measurement Approach</b>	VE from the boilers will be continuously monitored using a continuous opacity monitoring system (COMS) on the common stack.
<b>3. Indicator Range</b>	An excursion is defined as VE in amounts greater than 13 percent opacity (six-minute block average, excluding any excused data)
<b>4. Quality Improvement Plan (QIP) Threshold</b>	An accumulation of excursions exceeding 1 percent duration of the operating time for a six-month reporting period

<b>B. Performance Criteria</b>	
<b>1. Data Representativeness</b>	VE measurements are made at the emission points (i.e. bagfilter outlets) of the common stack.
<b>2. QA/QC Practices and Criteria</b>	The COMS shall be calibrated, maintained and operated according to 40 CFR 60, Appendix B, Performance Specifications (PS 1) and Appendix F, Quality Assurance Procedures.
<b>3. Monitoring Frequency</b>	Data is collected continuously with the COMS.
<b>4. Data Collection Procedures</b>	Data from the COMS is collected electronically and maintained on the data acquisition and handling system computer along with information on the operating status of the boilers.
<b>5. Data Averaging Period</b>	n/a

**Reporting** [15A NCAC 02Q .0508(f); 40 CFR 64.9]

- d. The Permittee shall submit a summary report of all monitoring activities required in Section 2.1 A.3.b above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. The report shall also include the following information, as applicable:

- i. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
- ii. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
- iii. A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring

**4. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**  
(40 CFR Part 63 Subpart UUUUU)

- a. The Permittee shall comply with all applicable provisions, including the requirements for emission limitations, work practice standards, operating limits, testing and initial compliance, continuous compliance, monitoring, recordkeeping, notification, and reporting, contained in Environmental Management Commission Standard 15A NCAC 02D .1111 Maximum Achievable Control Technology (MACT) as promulgated in the most current version of 40 CFR Part 63 Subpart UUUUU, “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units” and Subpart A General Provisions.

**Emission Limitations and Work Practice Standards** [15A NCAC 02Q .0508(b)]

- b. The Permittee shall:
  - i. limit the emissions of filterable particulate matter (PM) to 3.0E-2 pounds per million Btu (lb/MMBtu);
  - ii. limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 2.0E-1 lb/MMBtu; and
  - iii. limit the emissions of mercury (Hg) to 1.2 pounds per trillion Btu (lb/TBtu).

[40 CFR 63.9991(a)(1) and Table 2 to Subpart UUUUU]

- c.
  - i. As an alternative to meeting the requirements of §63.9991(a)(1) for filterable PM, SO<sub>2</sub>, HF, HCl, non-Hg HAP metals, or Hg on an EGU-specific basis as described in paragraph a above, the Permittee may choose to demonstrate compliance by using emissions averaging as described in §63.10009(a)(2) among existing EGUs in the same subcategory. If this option is selected for mercury, the Permittee shall limit the concentration of mercury to 1.0 lb/TBtu or 1.1E-2 lb/GWh. [§63.9991(a)(1), §63.10009 and §63.10022]
  - ii. As an alternative to the emission limit in Sections 2.1 A.4.b.i through iii above, the Permittee may comply with the relevant emission limits in paragraphs (A) through (C) below provided that the Permittee complies with the requirements of Section 2.1 A.4.c.iii below:

(A) As an alternative to the emission limit in Section 2.1. A.4.b.i above, the Permittee may:

- (I) limit the emissions of filterable particulate matter (PM) to 3.0 pounds per megawatt-hour (lb/MWh); or
- (II) limit the emissions of total non-Hg HAP metals to 5.0E-5 lb/MMBtu or 5.0E-1 pounds per gigawatt-hour (lb/GWh); or



(III) limit the emissions of individual HAP metals to the amounts listed in Table 2 to 40 CFR Part 63, Subpart UUUUU.

(B) As an alternative to the emission limit in Section 2.1 A.4.b.ii above, the Permittee may:

(I) limit the emissions of hydrogen chloride (HCl) to 2.0E-3 lb/MMBtu or 2.0E-2 lb/MWh; or

(II) limit the emissions of sulfur dioxide (SO<sub>2</sub>) to 1.5E0 lb/MWh.

(C) As an alternative to the emission limit in Section 2.1 A.4.b.iii above, the Permittee may limit the emissions of Hg 1.3E-02 lb/GWh.

[§63.9991(a)(1) and Table 2 to Subpart UUUUU]

iii. The Permittee may demonstrate compliance with the emission limits in Section 2.1 A.4.c.ii above, provided that:

(A) The Permittee shall submit a request that identifies for each EGU or EGU emissions averaging group involved in the proposed switch both the current and proposed emission limit;

(B) The above request arrives to the Administrator at least 30 calendar days prior to the date that the switch is proposed to occur;

(C) The request demonstrates through performance stack test results completed within 30 days prior to the submission, compliance for each EGU or EGU emissions averaging group with both the mass per heat input and mass per gross output limits;

(D) The Permittee revises and submits all other applicable plans, e.g., monitoring and emissions averaging, with the request; and

(E) The Permittee maintains records of all information regarding the choice of emission limits.

[§63.10030(e)(7)(iii)]

d. During periods of startup of an EGU:

i. The Permittee has chosen to comply using the following work practice standards, by choosing to comply using paragraph (1) of the definition of “startup” in §63.10042, defined as follows.

*Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). Any fraction of an hour in which startup occurs constitutes a full hour of startup.*

The Permittee shall operate all continuous monitoring systems (CMS) during startup, except during periods of bypass of the main stack as provided in §63.10010(a)(4). For startup of a unit, clean fuels must be used as defined in §63.10042 for ignition. Once the unit converts to firing coal, the Permittee shall engage all of the applicable control technologies. The Permittee shall comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in Subpart UUUUU. The Permittee shall keep records during startup periods.

ii. The Permittee shall collect monitoring data during startup periods, as specified in §63.10020(a) and (e).

The Permittee shall keep records during startup periods, as provided in §§63.10032 and 63.10021(h). The Permittee shall provide reports concerning activities and startup periods, as specified in §63.10011(g) and §63.10021(h) and (i). All periods of bypass of the main stack shall be reported as deviations as provided in §63.10010(a)(4)(ii).

[§63.9991(a)(1) and Table 3 to Subpart UUUUU]

e. During periods of shutdown of an EGU:

*Shutdown means the period in which cessation of operation of an EGU is initiated for any purpose. Shutdown begins when the EGU no longer generates electricity or makes useful thermal energy (such as heat or steam) for industrial, commercial, heating, or cooling purposes or when no coal, liquid oil, syngas, or solid oil-derived fuel is being fired in the EGU, whichever is earlier. Shutdown ends when the EGU no longer generates electricity or makes useful thermal energy (such as steam or heat) for industrial, commercial, heating, or cooling purposes, and no fuel is being fired in the EGU. Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown.*

- i. The Permittee shall operate all CMS during shutdown, except during periods of bypass of the main stack as provided in §63.10010(a)(4). The Permittee shall also collect appropriate data, and shall calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used. While firing coal during shutdown, the Permittee shall vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal being fed into the EGU and for as long as possible thereafter considering operational and safety concerns as provided for bypass of the main stack in §63.10010(a)(4). In any case, the permittee shall operate the controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than Subpart UUUUU and that require operation of the control devices. All periods of bypass of the main stack shall be reported as deviations as provided in §63.10010(a)(4)(ii).
- ii. If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the shutdown process, that additional fuel shall be one or a combination of the clean fuels defined in §63.10042 and shall be used to the maximum extent possible taking into account considerations such as not compromising boiler or control device integrity.
- iii. The Permittee shall comply with all applicable emission limits at all times except during startup periods and shutdown periods at which time the Permittee shall meet the work practice standards. The Permittee shall collect monitoring data during shutdown periods, as specified in §63.10020(a). The Permittee shall keep records during shutdown periods, as provided in §§63.10032 and 63.10021(h). The Permittee shall provide reports concerning activities and shutdown periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031.

[§63.9991(a)(1), §63.10042, and Table 3 to Subpart UUUUU]

**General and Initial Compliance Requirements** [15A NCAC 02Q .0508(f)]

- f. The Permittee shall comply with the General Provisions as applicable pursuant to Table 9 to Subpart UUUUU. [40 CFR 63.10040]
- g. The Permittee shall be in compliance with the emission limits and operating limits in Subpart UUUUU. These limits shall apply at all times except during periods of startup and shutdown; however, for coal-fired EGUs, the Permittee shall be required to meet the work practice requirements in Table 3 to Subpart UUUUU during periods of startup or shutdown.

[§63.10000(a) and Table 3 to Subpart UUUUU]

- h. At all times, the Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.10000(b)]
- i. For coal-fired units, initial performance testing is required for all pollutants for the affected EGUs to demonstrate compliance with the applicable emission limits. [§63.10000(c)(1)]
- j. **Low emitting EGU status:** For an affected EGU to qualify as a "low emitting EGU" (LEE):
  - i. the EGU must meet the requirements of §63.10000(c)(1)(i);
  - ii. For an affected EGU to qualify as a LEE for PM, the Permittee must collect performance test data for three consecutive years that demonstrates emissions less than 50 percent of the emission limit in Section 2.1 A.4.b above. The Permittee shall conduct all required performance tests described in §63.10007, except the Permittee must increase the minimum sample volume specified by Tables 1 or 2 to Subpart UUUUU by a factor of two.
  - iii. For an affected EGU to qualify as a LEE for Hg, the Permittee must collect performance test data that demonstrates either emissions less than 10 percent of the emission limit in Section 2.1 A.4.b above. or potential Hg mass emissions less than or equal to 29.0 pounds per year and compliance with the applicable Hg emission limit in Section 2.1 A.4.b above. The Permittee shall conduct the performance test using the methods specified in §63.10005(h)(3).

[§63.10005(h)]

k. **Filterable PM:**

- i. If an EGU does not qualify as a LEE for PM, the Permittee shall monitor continuous performance through either a continuous parametric monitoring system (CPMS), a continuous emission monitoring system (CEMS), or a quarterly performance test.
- ii. If an EGU qualifies as a LEE for PM, the Permittee shall conduct a performance test for PM at least once every 36 months. The performance test must also demonstrate continued LEE status.

[§63.10000(c)(1)(ii) and (iv)]

- l. **SO<sub>2</sub>:** The Permittee shall demonstrate initial and continuous compliance by operating an SO<sub>2</sub> CEMS that is installed and operated in accordance with 40 CFR Part 75. [§63.10000(c)(1)(5)]

m. **Hg:**

- i. If an EGU does not qualify as a LEE for Hg, the Permittee shall demonstrate initial and continuous compliance through use of a Hg CEMS or a sorbent trap monitoring system in accordance with Appendix A to the Subpart.
- ii. If an EGU qualifies as a LEE for Hg, the Permittee shall demonstrate continued compliance by conducting a 30-day performance test using Method 30B at least once every 12 calendar months to demonstrate continued LEE status.

[§63.10000(c)(1)(ii) and (vi)]

- n. As part of demonstration of continuous compliance, the Permittee shall perform periodic tune-ups of the affected EGUs, according to §63.10021(e). [§63.10000(e)]
- o. On or before the date an EGU is subject to Subpart UUUUU, the Permittee shall install, certify, operate, maintain, and quality-assure each monitoring system necessary for demonstrating compliance with the work practice standards for PM during startup periods and shutdown periods. The Permittee shall collect, record, report, and maintain data obtained from these monitoring systems during startup periods and shutdown periods. [§63.10000(1)]
- p. The Permittee shall determine the fuel whose combustion produces the least uncontrolled emissions, taking safety considerations into account, *i.e.*, the cleanest fuel, either natural gas or distillate oil, that is available on site or accessible nearby for use during periods of startup or shutdown. The cleanest fuel, either natural gas or distillate oil, for use during periods of startup or shutdown determination may take safety considerations into account. [§§63.10011(f)(1) and (2)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the general compliance requirements in Sections 2.1 A.4.f through p above are not met.

**Continuous Compliance Requirements** [15A NCAC 02Q .0508(f)]

- q. The Permittee shall monitor and collect data according to §63.10020. [§63.10020(a)]
- r. The Permittee shall operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see §63.8(c)(7)), and required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. The Permittee is required to affect monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. [§63.10020(b)]
- s. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments, failure to collect required data is a deviation from the monitoring requirements. [§63.10020(d)]
- t. The Permittee shall demonstrate continuous compliance with each emissions limit, operating limit, and work practice standard in Tables 2 and 3 to Subpart UUUUU that applies to the affected EGU, according to the monitoring specified in Table 7 to Subpart UUUUU and paragraphs (b) through (g) of §63.10021(a). [§63.10021(a)]
- u. Except as otherwise provided in §63.10020(c), for the SO<sub>2</sub> CEMS and sorbent trap monitoring system (as applicable), the Permittee shall demonstrate continuous compliance by using all quality-assured hourly data recorded by the system and the other required monitoring systems (e.g., CO<sub>2</sub> systems) to calculate the arithmetic average emissions rate in units of the standard on a continuous 30-boiler operating day (or, if alternate emissions averaging is used for Hg, 90-boiler operating day) rolling average basis, updated at the end of each new boiler operating day. The Permittee shall use Equation 8 to Subpart UUUUU to determine the 30- (or, if applicable, 90-) boiler operating day rolling average.

$$\text{Boiler operating day average} = \frac{\sum_{i=1}^n Her_i}{n} \quad (\text{Subpart UUUUU, Eq. 8})$$

Where:

Her<sub>i</sub> is the hourly emissions rate for hour *i* and *n* is the number of hourly emissions rate values collected

over 30- (or, if applicable, 90-) boiler operating days.

[§63.10021(b)]

- v. When using quarterly performance testing to demonstrate compliance with one of the emission limits in Section 2.1 A.4.b above, the Permittee shall conduct the performance test and gather additional data as required by Tables 5 and 7 to Subpart UUUUU. [§63.10021(d)]
- w. The Permittee shall conduct periodic performance tune-ups of the EGUs, as specified in paragraphs (e)(1) through (9) of §63.10021. The Permittee shall perform an inspection of the burner at least once every 36 calendar months. If the EGU is offline when a deadline to perform the tune-up passes, the tune-up work practice requirements shall be performed within 30 days after the re-start of the affected unit. [§63.10021(e)]
- x. The Permittee shall follow the startup or shutdown requirements as given in Table 3 to the Subpart for each coal-fired EGU and comply with all applicable requirements in §63.10011(g). [§§63.10005(j), 63.10011(g) and §63.10021(h)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the continuous compliance requirements in Sections 2.1 A.4.q through x above are not met.

**Monitoring** [15A NCAC 02Q .0508(f)]

- y. For each affected unit that exhausts to the atmosphere through a common stack with one or more other affected units, the Permittee shall install each CEMS in the duct leading to the common stack, or in the common stack. [§63.10010(a)(2)]
- z. If the Permittee uses an oxygen (O<sub>2</sub>) or carbon dioxide (CO<sub>2</sub>) CEMS to convert measured pollutant concentrations to the units of the applicable emissions limit, the O<sub>2</sub> or CO<sub>2</sub> concentrations shall be monitored at a location that represents emissions to the atmosphere, *i.e.*, at the outlet of the EGU, downstream of all emission control devices. The Permittee shall install, certify, maintain, and operate the CEMS according to 40 CFR Part 75. Use only quality-assured O<sub>2</sub> or CO<sub>2</sub> data in the emissions calculations; do not use Part 75 substitute data values. [§63.10010(b)]
- aa. If the Permittee is required to use a stack gas flow rate monitor, either for routine operation of a sorbent trap monitoring system or to convert pollutant concentrations to units of an electrical output-based emission standard in Table 2 to Subpart UUUUU, the Permittee shall install, certify, operate, and maintain the monitoring system and conduct on-going quality-assurance testing of the system according to 40 CFR Part 75. The Permittee shall use only unadjusted, quality-assured flow rate data in the emissions calculations. The Permittee shall not apply bias adjustment factors to the flow rate data and do not use substitute flow rate data in the calculations. [§63.10010(c)]
- bb. If the Permittee is required to make corrections for stack gas moisture content when converting pollutant concentrations to the units of an emission standard in Table 2 to Subpart UUUUU, the Permittee shall install, certify, operate, and maintain a moisture monitoring system in accordance with 40 CFR Part 75. Alternatively, for coal-fired units, the Permittee may use appropriate fuel-specific default moisture values from §75.11(b) to estimate the moisture content of the stack gas. If the Permittee installs and operates a moisture monitoring system, the Permittee shall not use substitute moisture data in the emissions calculations. [§63.10010(d)]
- cc. The Permittee shall install the monitor of each required SO<sub>2</sub> CEMS at the outlet of the EGU, downstream of all emission control devices. The Permittee must certify, operate, and maintain the CEMS according to 40 CFR Part 75. The CEMS data must be quality-assured and gathered per §63.10010(f)(1) through (3). [§63.10010(f)]

- dd. If the Permittee uses a Hg CEMS or a sorbent trap monitoring system, the Permittee shall install, certify, operate, maintain and quality-assure the data from the monitoring system in accordance with Appendix A to Subpart UUUUU and as specified in §63.10010(g). [§63.10010(g)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the monitoring requirements in Sections 2.1 A.4.w through bb above are not met.

**Recordkeeping** [15A NCAC 02Q .0508(f)]

- ee. The Permittee shall keep records of the following:
  - i. Each notification and report that is submitted to comply with Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that was submitted, according to the requirements in §63.10(b)(2)(xiv).
  - ii. Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in §63.10(b)(2)(viii). [§63.10032(a)]
- ff. For each CEMS, the Permittee shall keep records as follows:
  - i. Records described in §63.10(b)(2)(vi) through (xi).
  - ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3).
  - iii. Request for alternatives to relative accuracy test for CEMS as required in §63.8(f)(6)(i).
  - iv. Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period. [§63.10032(b)]
- gg. For each EGU subject to an emission limit, the Permittee shall keep records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used. [§63.10032(d)(1)]
- hh. If the Permittee chooses to rely on paragraph (1) of the definition of “startup” in §63.10042 for any EGU, records must be kept of the occurrence and duration of each startup or shutdown. [§63.10032(f)(1)]
- ii. The Permittee shall keep records of the occurrence and duration of each malfunction of an operation (i.e., process equipment) or the air pollution control and monitoring equipment. [§63.10032(g)]
- jj. The Permittee shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with §63.10000(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.10032(h)]
- kk. The Permittee shall keep records of the type(s) and amount(s) of fuel used during each startup or shutdown. [§63.10032(i)]
- ll. The Permittee shall keep records in a form suitable and readily available for expeditious review, according to §63.10(b)(1). The Permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The Permittee shall keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record. The Permittee can keep the records off site for the remaining 3 years. [§63.10033(a) through (c)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the recordkeeping requirements in Sections 2.1 A.4.dd through ll above are not met.

**Reporting** [15A NCAC 02Q .0508(f)]

- mm. The Permittee shall submit the reports required under §63.10031 and, if applicable, the reports required under appendices A and B to the Subpart. The electronic reports required by appendices A and B to the Subpart shall be sent to the Administrator electronically in a format prescribed by the Administrator, as provided in §63.10031. CEMS data (except for PM CEMS and any approved alternative monitoring using a HAP metals CEMS) shall be submitted using EPA's Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. Other data, including PM CEMS data, HAP metals CEMS data, and CEMS performance test detail reports, shall be submitted in the file format generated through use of EPA's Electronic Reporting Tool, the Compliance and Emissions Data Reporting Interface, or alternate electronic file format, all as provided for under §63.10031. [§63.10021(f)]
- nn. The Permittee shall report each instance in which the Permittee did not meet an applicable emissions limit or operating limit in Tables 1 through 4 to 40 CFR 63 Subpart UUUUU or failed to conduct a required tune-up. These instances are deemed violations from the requirements of 40 CFR 63 Subpart UUUUU and shall be reported according to §63.10031. [§63.10021(g)]
- oo. The Permittee shall submit all of the notifications in §§63.7(b) and (c), 63.8 (e), (f)(4) and (6), and 63.9 (b) through (h), as applicable, by the dates specified, or according to an agreed upon schedule by NCDAQ. [§63.10030(a), §63.9(i)(2)]
- pp. When the Permittee is required to conduct a performance test, the Permittee shall submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin. [§63.10030(d)]
- qq. The Permittee shall submit each report in Table 8 to 40 CFR 63 Subpart UUUUU, as applicable. If the Permittee is required to (or elect to) continuously monitor Hg and/or HCl and/or HF emissions, the Permittee shall also submit the electronic reports required under appendix A and/or appendix B to the Subpart, at the specified frequency. [§63.10031(a)]
- rr. The Permittee shall submit each report in Table 8 to 40 CFR 63 Subpart UUUUU, as applicable 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. [§63.10031(b)]
- ss. The compliance report shall contain the following:
  - i. The information required by the summary report located in 63.10(e)(3)(vi).
  - ii. The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or the basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure.
  - iii. Indicate whether the Permittee burned new types of fuel during the reporting period. If the Permittee did burn new types of fuel the Permittee must include the date of the performance test where that fuel was in use.
  - iv. Include the date of the most recent tune-up for each EGU. The date of the tune-up is the date the tune-up provisions specified in §63.10021(e)(6) and (7) were completed.
  - v. A certification.
  - vi. If there is a deviation from any emission limit, work practice standard, or operating limit, the Permittee

must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation.

- vii. For each excess emissions occurring at an affected source where the Permittee is using a CMS to comply with that emission limit or operating limit, the Permittee shall include the information required in §63.10(e)(3)(v) in the compliance report specified in §63.10031(c). [§63.10031(c) and §63.10031(d)]
- tt. Each affected source that has obtained a Title V operating permit pursuant to 40 CFR Part 70 or Part 71 shall report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 8 of Subpart UUUUU along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.10031(e)]
- uu. On or after July 1, 2018, within 60 days after the date of completing each performance test, the Permittee shall submit the performance test reports required by the Subpart to EPA's WebFIRE database by using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). The Permittee shall comply with all applicable requirements in §63.10031(f). [§63.10031(f)]
- vv. If the Permittee had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. [§63.10031(g)]

**STATE-ENFORCEABLE ONLY:**

**5. 15A NCAC 02Q .0700: TOXIC AIR POLLUTANT PROCEDURES**

- a. As an alternative fuel, tire derived fuel (TDF), may be co-fired with coal up to a maximum of 20 percent of the thermal heat input being fired.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02D .0611]

- b. The amount of TDF burned in each boiler (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES-2-2B**) shall be recorded by date and time in a logbook, maintained on site, and made available to DAQ personnel upon request.



**B.**

- **Four coal bunkers (ID Nos. ES-2A, ES-2B, ES-2C, ES-02D) with associated bagfilters (ID Nos. CD-2A, ES-2B, ES-2C, CD-02D),**
- **One fly ash silo (ID No. ES-3) with wet mixer unloader with associated binvent (ID No. CD-3),**
- **One bottom ash silo (ID No. ES-4) with wet mixer unloader with associated binvent (ID No. CD-4), and**
- **Two lime storage silos (ID Nos. ES-1-7 and ES-2-7) with associated bagfilters (ID Nos. CD-1-7 and CD-2-7)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Particulate matter	<p><b>(ID Nos. ES-3 and ES-4 only)</b> 0.008 pounds per hour</p> <p><b>(ID Nos. ES-2A, ES-2B, ES-2C, ES-02D only)</b> 0.0003 pounds per hour</p> <p><b>(ID Nos. ES-1-7 and ES-2-7 only)</b> control by bagfilter</p>	15A NCAC 02D .0530

**1. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from these sources (**ID Nos. ES-2A, ES-2B, ES-2C, ES-02D, ES-3, ES-4, ES-1-7, ES-2-7**) 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 02Q .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 02D .0521.

**Monitoring** [15A NCAC 02Q .0508(f)]

- c. i. To ensure compliance, once a week the Permittee shall observe the emission points of these sources (**ID Nos. ES-2A, ES-2B, ES-2C, ES-02D, ES-3, ES-4, ES-1-7, ES-2-7**) for any visible emissions above normal. The weekly observation must be made for each week 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:
- (A) 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
  - (B) demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.1.a above.
- ii. The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if:
- (A) the above-normal emissions are not corrected per c.i.(A) above;

(B) the demonstration in c.i.(B) above cannot be made; or

(C) the weekly observations are not conducted per c.i above;

**Recordkeeping** [15A NCAC 02Q .0508(f)]

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

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of the monitoring and recordkeeping activities listed in Sections 2.1 B.1 c. and d. 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 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. Particulate matter emissions from each ash silo (**ID Nos. ES-3 and ES-4**) shall not exceed 0.008 pounds per hour.
- b. Particulate matter emissions from each coal bunker (**ID Nos. ES-2A, ES-2B, ES-2C, ES-02D**) shall not exceed 0.0003 pounds per hour.
- c. Particulate matter emissions from each lime silo (**ID Nos. ES-1-7 and ES-2-7**) shall be controlled with a bagfilter.

**Monitoring** [15A NCAC 02Q .0508(f)]

- d. Particulate matter emissions from these emission sources (**ID Nos. ES-2A, ES-2B, ES-2C, ES-02D, ES-3, ES-4, ES-1-7, ES-2-7**) shall be controlled by six bagfilters (**ID Nos. CD-2A, CD-2B, CD-2C, CD-02D, CD-1-7 and CD-2-7**) and two bin vents (**ID Nos. CD-3 and CD-4**) as described above. To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturers. 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. an annual (for each 12-month period following the initial inspection) internal inspection of the bagfilters/bin vents for structural and fabric filter integrity; and
  - ii. a monthly visual inspection of the system ductwork and material collection unit for leaks

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the ductwork, bin vents, and bagfilters are not inspected and maintained.

**Recordkeeping** [15A NCAC 02Q .0508(f)]

- e. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) kept on-site and made available to an authorized DAQ 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 02D .0530 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- f. Upon request from the DAQ, the Permittee shall submit, within 30 days of such request, a report of any maintenance performed on a control device.
- g. The Permittee shall submit a summary report of the monitoring and recordkeeping activities listed in Sections 2.1 B.2.d and e. 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.

- **Boiler Ash Transport System and Recycle Ash Storage System with three (3) ash system vacuum transport pumps (ID Nos. ES-5A, ES-5B, and ES-5C), two (2) simple cyclones (ID Nos. CD-5F and CD-5G), two (2) bagfilters (ID Nos. CD-5D and CD-5E), and two (2) in-line filters (ID Nos. CD-5A and CD-5B)**
- **two (2) recycle ash silos (ID Nos. ES-1-6 and ES-2-6) with wet mixer unloaders and controlled by associated bagfilters (ID Nos. CD-1-6A and CD-2-6A)**

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	For $P \leq 30$ : $E = 4.10P^{0.67}$ For $P > 30$ : $E = 55.0P^{0.11} - 40$  Where: E = maximum allowable emission rate in pounds per hour P = process weight in tons per hour	15A NCAC 02D .0515
Visible emissions	20 percent opacity	15A NCAC 02D .0521

**1. 15A NCAC 02D .0515: PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES**

- a. Emissions of particulate matter from these sources (**ID Nos. ES-5A, ES-5B, ES-5C, ES-1-6, ES-2-6**) shall not exceed an allowable emission rate as calculated by the following equations:

$$\text{For } P \leq 30, E = 4.10 \times P^{0.67}$$

$$\text{For } P > 30, E = 55.0 \times P^{0.11} - 40$$

Where:

E = maximum 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 02Q .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 limits given in Section 2.1 C. 1. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

**Monitoring** [15A NCAC 02Q .0508(f)]

- c. Particulate matter emissions from the boiler ash transport system, including the vacuum transport pumps (**ID Nos. ES-5A, ES-5B, and ES-5C**), shall be controlled by two simple cyclones (ID Nos. CD-5F and CD-5G), two bagfilters (ID Nos. CD-5D and CD-5E), and two in-line filters (ID Nos. CD-5A and CD-5B) as described above. The recycle ash silos (**ID Nos. ES-1-6 and ES-2-6**) shall be controlled by two bagfilters (ID Nos. CD-1-6A and CD-2-6A) as described above. To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturers. 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 unit for leaks; and

- ii. an annual (for each 12-month period following the initial inspection) internal inspection of the bagfilters/in-line filters for structural and fabric filter integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if the ductwork, bagfilters, simple cyclones, and in-line filters are not inspected and maintained.

**Recordkeeping** [15A NCAC 02Q .0508(f)]

- d. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format), kept 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 02D .0515 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. Upon request from the DAQ, the Permittee shall submit, within 30 days of such request, a report of any maintenance performed on a control device.
- f. The Permittee shall submit a summary report of the monitoring and recordkeeping activities listed in Sections 2.1 C.1 c and d above 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 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from these (**ID Nos. ES-5A, ES-5B, ES-5c, ES-1-6, ES-2-6**) sources 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 02Q .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 limits given in Section 2.1 C.2.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring** [15A NCAC 02Q .0508(f)]

- c. To ensure compliance, once a week the Permittee shall observe the emission points of these sources (**ID Nos. ES-5A, ES-5B, ES-5C, ES-1-6, ES-2-6**) for any visible emissions above normal. The weekly observation must be made for each week 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:

- (A) 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

(B) demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.1.a above.

ii. The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if:

(A) the above-normal emissions are not corrected per c.i.(A) above;

(B) the demonstration in c.i.(B) above cannot be made; or

(C) the weekly observations are not conducted per c.i above;

**Recordkeeping** [15A NCAC 02Q .0508(f)]

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

i. the date and time of each recorded action;

ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and

iii. the results of any corrective actions performed.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

e. The Permittee shall submit a summary report of the monitoring and recordkeeping activities listed in Sections 2.1 C.2. c and d above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**D. Coal unloading/storage and transfer (ID No. ES-6) with wet suppression (ID No. WETSUP)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Particulate matter	wet suppression [chemical/water spray] shall be used on the following: rail car unloading [partially enclosed] live coal pile stock out working coal active pile wind erosion active coal pile	15A NCAC 02D .0530

**1. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from the coal unloading/storage and transfer (ID No. 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 02Q .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 limits given in Section 2.1 D.1. a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring** [15A NCAC 02Q .0508(f)]

- c. To ensure compliance, once a week the Permittee shall observe the emission points of this source (ID No. ES-6) for any visible emissions above normal. The weekly observation must be made for each week 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:

- (A) 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

- (B) demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.1.a above.

- ii. The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if:

- (A) the above-normal emissions are not corrected per c.i.(A) above;

- (B) the demonstration in c.i.(B) above cannot be made; or

- (C) the weekly observations are not conducted per c.i above;

**Recordkeeping** [15A NCAC 02Q .0508(f)]

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

- i. the date and time of each recorded action;
- ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
- iii. the results of any corrective actions performed.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of the monitoring and recordkeeping activities listed in Sections 2.1 D.1 c. and d above 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 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. The Permittee shall employ wet suppression as required on the rail car unloading, coal storage pile load in/out, and wind erosion coal piles.

**Monitoring** [15A NCAC 02Q .0508(f)]

- b. Particulate matter emissions from the coal piles and unloading (**ID No. ES-6**) shall be controlled by wet suppression (**ID No. WETSUP**) as required. To ensure compliance, the Permittee shall perform inspections and maintenance on the wet suppression system 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 a monthly external visual inspection of the system for integrity of piping and nozzles.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the system is not inspected and maintained.

- c. A wet suppression logbook shall be maintained indicating areas and dates wet suppression was applied, and shall be made available to a DAQ representative upon request.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the wet suppression logbook is not maintained.

**Recordkeeping** [15A NCAC 02Q .0508(f)]

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

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not



maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. Within 30 days of a written request from the DAQ, the Permittee shall submit a report of any maintenance performed on the wet suppression system.
  
- f. The Permittee shall submit a summary report of monitoring and recordkeeping activities listed in Sections 2.1 D.2.b through d above 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.

DRAFT

## 2.2- Multiple Emission Source Limitations

### STATE-ENFORCEABLE ONLY:

#### A. 15A NCAC 02D .1100: CONTROL OF TOXIC AIR POLLUTANTS

- a. Pursuant to 15A NCAC 02D .1100 and in accordance with the approved application for an air toxic compliance demonstration (approved with the T11 permit, issued October 12, 2009), the following permit limits shall not be exceeded:

EMISSION SOURCE(S)	TOXIC AIR POLLUTANT(S)	EMISSION LIMIT(S)
Four boilers (ID Nos. ES-1-1A, ES-1-1B, ES-2-2A ES-2-2B) and diesel-fired emergency fire pump (ID No. IES-7), combined	Arsenic	81.6 pounds per year
	Benzene	712 pounds per year
	Beryllium	9.4 pounds per year
	Cadmium	456 pounds per year
	Soluble chromium	1.26 pounds per day
	Dimethyl sulfate	0.0665 pounds per day
	Formaldehyde	0.26 pounds per hour
	Hydrogen chloride	164 pounds per hour
	Hydrogen fluoride	208 pounds per day
		8.65 pounds per hour
	Mercury	0.0241 pounds per day
	Nickel	2.12 pounds per day
		58.2 pounds per day
	Pentachlorophenol	2.42 pounds per hour
101 pounds per day		
Sulfuric acid	4.2 pounds per hour	
	Tetrachlorodibenzene-p-dioxin	0.0142 pounds per year

#### Monitoring/Recordkeeping/Reporting [15A NCAC 02D .0611]

- b. No monitoring/recordkeeping/reporting is required to demonstrate compliance with 15A NCAC 02D .1100.

### STATE-ENFORCEABLE ONLY:

#### B. 15A NCAC 02Q .0711: EMISSION RATES REQUIRING A PERMIT

- a. Pursuant to 15A NCAC 02Q .0711 “Emission Rates Requiring a Permit,” for each of the below listed toxic air pollutants (TAP), the Permittee has made a demonstration that facility-wide actual emissions do not exceed the Toxic Permit Emission Rates (TPER) listed in 15A NCAC 02Q .0711. The facility shall be operated and maintained in such a manner that emissions of any listed TAP from the facility, including fugitive emissions, will not exceed TPER listed in 15A NCAC 02Q .0711.
1. A permit to emit any of the below listed TAP shall be required for this facility if actual emissions from all sources will become greater than the corresponding TPER.
  2. PRIOR to exceeding any of these TPER, the Permittee shall be responsible for obtaining a permit to emit TAP and for demonstrating compliance with the requirements of 15A NCAC 02D .1100 “Control

of Toxic Air Pollutants.”

3. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPER as listed below:

<b>Toxic Air Pollutant (CAS Number)</b>	<b>Carcinogens (lb/yr)</b>	<b>Chronic Toxicants (lb/day)</b>	<b>Acute Systemic Toxicants (lb/hr)</b>	<b>Acute Irritants (lb/hr)</b>
Acetaldehyde (75-07-0)				6.8
Acrolein (107-02-8)				0.02
Benzo(a)pyrene (50-32-8)	2.2			
Benzyl chloride (100-44-7)			0.13	
Bromine (7726-95-6)				0.052
Carbon disulfide (75-15-0)		3.9		
Chlorobenzene (108-90-7)		46		
Chloroform (67-66-3)	290			
di (2-ethylhexyl) phthalate (117-81-7)		0.63		
Ethylene dibromide (106-93-4)	27			
Ethylene dichloride (107-06-2)	260			
n-hexane (110-54-3)		23		
Manganese and compounds		0.63		
Methyl ethyl ketone (78-93-3)		78		22.4
Methylene chloride (75-09-2)	1,600		0.39	
Phenol (108-95-2)			0.24	
Styrene (100-42-5)			2.7	
Toluene (108-88-3)		98		14.4
Xylene (1330-20-7)		57		16.4

**Federal-Enforceable Only**

**2.3- Cross State Air Pollution Rule (CSAPR) Requirements**

For the four boilers (**ID Nos. ES-1-1A, ES-1-1B, ES-2-2A, and ES2-2B**), the Permittee shall comply with all applicable requirements of 40 CFR Part 97, Subpart AAAAA "TR NO<sub>x</sub> Annual Trading Program", Subpart BBBBB "TR NO<sub>x</sub> Ozone Season Trading Program", and Subpart CCCCC "TR SO<sub>2</sub> Group 1 Trading Program".

DRAFT

## 2.4- Phase II Acid Rain Permit Requirements

**ORIS code: 10384**

**Effective: TBD until TBD, same as TV permit**

### 1. Statement of Basis

Statutory and Regulatory Authorities: In accordance with the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended and Titles IV and V of the Clean Air Act, the Division of Air Quality issues this permit pursuant to Title 15A North Carolina Administrative Codes, Subchapter 02Q .0400 and 02Q .0500, and other applicable Laws.

### 2. SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for each affected unit

ES-1-1A, ES-1-1B, ES-2-2A, ES-2-2B	SO <sub>2</sub> allowances, under Tables 2, 3, or 4 of 40 CFR Part 73.	None.
	NO <sub>x</sub>	See 40 CFR Parts 76.5, 76.6, and 76.7.

### 3. Comments, Notes and Justifications

None.

### 4. Phase II Permit Application (attached)

The Phase II Permit Application submitted for this facility, as approved by the Division of Air Quality, is part of this permit. The owners and operators of these Phase II acid rain sources must comply with the standard requirements and special provisions set forth in the following attached application:

Acid Rain Permit Application dated May 23, 2018

## SECTION 3- GENERAL CONDITIONS (version 5.3, 08/21/2018)

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

- A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]
1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
  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 02Q .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 Environmental Quality upon request.
- C. **Severability Clause** [15A NCAC 02Q .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 02Q .0507(e) and 02Q .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 02Q .0508(i)(3)]  
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 02Q .0514]  
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.
2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]  
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.
3. Minor Permit Modifications [15A NCAC 02Q .0515]  
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.
4. Significant Permit Modifications [15A NCAC 02Q .0516]  
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.
5. Reopening for Cause [15A NCAC 02Q .0517]  
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .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 02Q .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 02Q .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 02Q .0523(c)]  
To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

**I.A. Reporting Requirements for Excess Emissions and Permit Deviations** [15A NCAC 02D .0535(f) and 02Q .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 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. (*Note: Definitions of excess emissions under 02D .1110 and 02D .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 02D .0524), NESHAPS (15A NCAC 02D .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 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
  - a. Pursuant to 15A NCAC 02D .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 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .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 02D .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 02D .0535**

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .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 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .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 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .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 02Q .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 02Q .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 02Q .0508(f) and 02Q .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 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, 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 02Q .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 02Q .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 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 02Q .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 02Q .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 02Q .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 02Q .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 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. 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 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .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 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .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 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .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 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .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 02Q .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 02Q .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 02Q .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 02D .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 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

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 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .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 02D .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 02Q .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 02D. 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 02D .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 the 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:
    - i. 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.
    - ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
    - iii. 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 02D .2600 has precedence over all other tests.

**KK. Reopening for Cause [15A NCAC 02Q .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 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .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 02Q .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 02Q .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. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

**MM. Fugitive Dust Control Requirement [15A NCAC 02D .0540]**

As required by 15A NCAC 02D .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 02D .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 02Q .0501 and .0523]**

1. For modifications made pursuant to 15A NCAC 02Q .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 02Q .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 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, 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 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental 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 02Q .0518 begins at the end of the 45-day EPA review period.

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ATTACHMENT 1 to Air Quality Permit No. 06563T18  
Edgecombe Power Station

**List of Acronyms**

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

ATTACHMENT 2 to Air Quality Permit No. 06563T18  
Edgecombe Power Station

**Phase II Acid Rain Permit Application**

(Dated May 23, 2018)  
(five pages)

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