

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL ABRACZINSKAS
Director



XXXX 2019

Mr. Carr Tyndall
Vice President of Operations
Jackson Paper Manufacturing Company
PO Box 667
Sylva, North Carolina 28779

SUBJECT: Air Quality Permit No. 04665T17
Facility ID: 5000119
Jackson Paper Manufacturing Company
Sylva, North Carolina
Jackson County
Fee Class: Title V
PSD Status: Minor

Dear Mr. Tyndall:

In accordance with your completed Air Quality Permit Application for a TV Permit Renewal received September 25, 2018, we are forwarding herewith Air Quality Permit No. 04665T17 to Jackson Paper Manufacturing Company, 152 West Main Street, Sylva, North Carolina authorizing the construction and operation, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

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

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



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. Tyndall
XXXX, 2019
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receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of 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.

Jackson County has not been triggered for increment tracking under PSD for any pollutants.

This Air Quality Permit shall be effective from XXXX, 2019 until XXX, 2024, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein. Should you have any questions concerning this matter, please contact Betty Gatano, P.E., at (919) 707-8736 or Betty.Gatano@ncdenr.gov.

Sincerely yours,

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

Enclosure

cc: Heather Ceron, EPA Region 4 (copy of permit and permit review)
Asheville Regional Office
Central Files
Connie Horne (cover letter only)

ATTACHMENT to Permit No. 04665T17

Insignificant Activities per 15A NCAC 02Q .0503(8)

ID No.	Emission Source Description
IES-Wood	Wood dust dumping, storage, conveying, screening, and hogging system
I-AD-1	Adhesive Application Operations
I-SP	Stock Preparation
I-Boiler	Boiler additives
I-WWTP	Wastewater treatment plant

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the Permittee 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>.

Summary of Changes to Permit

The following changes were made to Jackson Paper Manufacturing Company in Sylva, NC, Air Permit No. 04665T16:

Pages	Section	Description of Changes
Cover page and Throughout	-	Updated all dates and permit revision numbers.
4	2.1 A – Regulation Table	<ul style="list-style-type: none"> • Added reference to 15A NCAC 02Q .0317 for avoidance of 15A NCAC 02D .1111. • Updated language for reference to 15A NCAC 02Q .0711.
5	2.1 A.1.e	Updated testing date for compliance with 15A NCAC 02Q .0504.
5	2.1 A.1.f	Added statement that annual inspection is “each 12-month period following initial inspection” for instrumentation associated with the scrubber.
7	2.1 A.3.c	Updated testing date for compliance with 15A NCAC 02D .0521.
7 and 8	2.1 A.3.d and e	Updated monitoring requirements under 15A NCAC 02D .0521 to most current permitting language.
9	2.1 A.5.c	Updated testing date for compliance with 15A NCAC 02Q .0317 for avoidance of 15A NCAC 02D .0530.
10	2.1 A.5.f	Added statement indicating “all instances of deviations from the requirements of this permit must be clearly identified” in the annual report.
10 – 11	2.1 A.6.c	Modified the definition of QIP threshold under CAM and removed the associated footnote.
11	2.1 A.6.d and e	Updated recordkeeping and reporting requirement under 15A NCAC 02D .0614 to most current permitting language.
11 – 14	2.1 A.7	Updated permit condition for 15A NCAC 02D .1111, “Maximum Achievable Control Technology” as promulgated in 40 CFR 63, Subpart JJJJJ, “National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.”
14	2.1. B – Regulation Table	<ul style="list-style-type: none"> • Removed all reference to 15A NCAC 02D .0958. The rule is no longer applicable state-wide, effective November 1, 2016. • Updated language for reference to 15A NCAC 02Q .0711.
--	2.1 B.1 (old numbering)	Removed permit condition for 15A NCAC 02D .0958. The rule is no longer applicable state-wide, effective November 1, 2016.
14	2.1. C – Regulation Table	Updated language for reference to 15A NCAC 02Q .0711.
16	2.2. A – Regulation Table	Updated language for reference to 15A NCAC 02Q .0711.
17	2.2 A.1.f	Added statement indicating “all instances of deviations from the requirements of this permit must be clearly identified” in the annual report
20 – 29	Section 3	Updated the General Conditions to the most recent revision (V5.3 08/21/2018).
30	Attachment	Updated the list of acronyms.



State of North Carolina
Department of Environmental Quality
Division of Air Quality

AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
04665T17	04665T16	XXXX, 2019	XXXX, 2024

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: **Jackson Paper Manufacturing Company**
Facility ID: **5000119**

Facility Site Location: **152 West Main Street**
City, County, State, Zip: **Sylva, Jackson County, North Carolina 28779**

Mailing Address: **PO Box 667**
City, State, Zip: **Sylva, North Carolina 28779**

Application Number: **5000119.18A**
Complete Application Date: **September 25, 2018**

Primary SIC Code: **2631**

Division of Air Quality, **Asheville Regional Office**
Regional Office Address: **2090 Highway 70**
Swannanoa, North Carolina 28778

Permit issued this the XXth day of XXXX, 2019

William D. Willets, P.E., Chief, Permitting Section
By Authority of the Environmental Management Commission

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ATTACHMENT

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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 No.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
4	JP-021 GACT JJJJJ	<p>One wood/coal/tire-derived fuel (TDF)/paper mill sludge/plastic waste*/waste oil-fired boiler (70,000 pounds per hour steam capacity; 145.1 million Btu per hour maximum heat input capacity from wood combustion; 99.1 million Btu per hour maximum heat input capacity from non-wood combustion)</p> <p>* Plastic waste is limited to the lightweight plastics from tape, labels, etc., that comes into the plant attached to the cardboard and recycled in the mechanical plastic separator, scavenger, and junk tower operations, but excludes rag rope plastics and metal portions of the waste collected from the pulper, which are landfilled.</p>	<p>CD-1-1</p> <p>CD-1-2</p>	<p>One multicyclone (99 nine-inch diameter tubes)</p> <p>One venturi scrubber (water injection rate of 540 gallons per minute)</p>
14	JP-023	One temporary natural gas-fired boiler (145 million Btu per hour maximum heat input capacity)	NA	NA
14	PM-01	One paper machine	NA	NA

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. One wood/coal/tire-derived (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (ID No. JP-021) with associated multicyclone (ID No. CD-1-1) in series with venturi scrubber (ID No. CD-1-2)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	<u>Wood only</u> 0.39 pounds per million Btu heat input <u>Wood in combination with other permitted fuels</u> $E = [(0.39)(Q_w) + (0.33)(Q_o)]/Q_t$	15A NCAC 02D .0504
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Sulfur dioxide	Less than 250 tons per consecutive 12 months	15A NCAC 02Q .0317 (PSD Avoidance)
Carbon monoxide	Less than 250 tons per consecutive 12 months	15A NCAC 02Q .0317 (PSD Avoidance)
Particulate matter	Compliance Assurance Monitoring	15A NCAC 02D .0614
Hazardous air pollutants	Work practice standards	15A NCAC 02D .1111, 40 CFR Part 63, Subpart JJJJJ
Hazardous air pollutants	See Section 2.2 A.1 less than 10 tons per year of any individual HAP and less than 25 tons per year of a combination of HAPs	15A NCAC 02Q .0317 for avoidance of 15A NCAC 02D .1111
Odors	State-enforceable only See Section 2.2 A.2 Control of odorous emissions	15A NCAC 02D .1806
Toxic air pollutants	State-enforceable only See Section 2.2 A.3 Facility-wide compliance with TPER	15A NCAC 02Q .0711
Toxic air pollutants	State-enforceable only See Section 2.2 A.4 Waste oil shall not exceed allowable constituent/property levels	15A NCAC 02Q .0317 (NC Toxics Avoidance)

1. 15A NCAC 02D .0504: PARTICULATES FROM WOOD BURNING INDIRECT HEAT EXCHANGERS

- a. Emissions of particulate matter from the combustion of wood that are discharged from this source (**ID No. JP-021**) into the atmosphere shall not exceed 0.39 pounds per million Btu heat input.
- b. Emissions of particulate matter from the combustion of wood in combination with other permitted fuels that are discharged from this source (**ID No. JP-021**) shall not exceed an allowable emission rate as calculated by the following equation:

$$E = [(0.39)(Q_w) + (0.33)(Q_o)]/(Q_t)$$

Where: E = allowable emission in pounds per million Btu

Q_w = actual wood heat input rate in million Btu per hour

Q_o = actual other fuel heat input rate in million Btu per hour

Q_t = Q_w + Q_o

- c. To ensure compliance with the particulate emission limit:
- i. the maximum allowable tire-derived fuel (TDF) combusted in this source (**ID No. JP-021**) shall not exceed 8.75 percent by weight or 1,458 pounds per hour.
 - ii. the maximum allowable paper mill sludge (biological and non-biological) combusted in this source (**ID No. JP-021**) shall not exceed 800 dry pounds per hour.

The Permittee shall keep records on-site that verify the above limits are not exceeded. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0504 if these records are not maintained or if the limits are exceeded.

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

- d. 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 A.1.a and/or b above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0504.
- e. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limits above by testing the wood/coal/tire-derived (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (**ID No. JP-021**) for particulate matter with a testing protocol approved by the DAQ. Details of the emissions testing and reporting requirements can be found in General Condition JJ. Testing for all non-TDF and/or non-coal-firing scenarios shall be completed and the results submitted by **December 16, 2019**. Testing for the TDF and/or coal-firing scenarios shall be completed and the results submitted within 180 days of re-commencement of TDF and/or coal firing. If the results of this test are above the limit given in Section 2.1 A.1.a and b above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0504.

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

- f. Particulate matter emissions from this source (**ID No. JP-021**) shall be controlled by one multicyclone (**ID No. CD-1-1**) in series with one venturi scrubber (**ID No. CD-1-2**). 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. a semi-annual inspection of the scrubber's spray nozzles to detect clogging or corrosion damage of the nozzles and perform maintenance and repair when necessary to ensure proper operation of the scrubber;
 - ii. an annual (for each 12-month period following initial inspection) inspection, cleaning, and calibration of all instrumentation associated with the scrubber;
 - iii. a monthly external visual inspection of the multicyclone and associated ductwork for leaks; and
 - iv. an annual (for each 12-month period following initial inspection) internal inspection of the multicyclone's structural integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0504 if the control devices and systems' ductwork are not inspected and maintained.

- g. The Permittee shall install, operate, and maintain a pressure drop indicator on the venturi scrubber (**ID No. CD-1-2**). The pressure drop across the scrubber shall be maintained above 5.0 inches of water column. The pressure drop shall be monitored once daily. The Permittee shall be deemed in

noncompliance with 15A NCAC 02D .0504 if the once daily reading is not maintained above the minimum.

- h. The Permittee shall install, operate, and maintain a water flow meter on the venturi scrubber (**ID No. CD-1-2**). The water flow rate across the scrubber shall be maintained above 540 gallons per minute. The water flow rate shall be monitored once per shift. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0504 if the once per shift reading is not maintained above the minimum.
- i. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the once daily pressure drop readings;
 - iii. the once per shift water flow rate readings;
 - iv. the results of each inspection;
 - v. the results 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 .0504 if these records are not maintained.

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

- j. Within 30 days of a request from the DAQ, the Permittee shall submit a report of any maintenance performed on any control device.
- k. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Sections 2.1 A.1.f through i 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 .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. JP-021**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

Testing [15A NCAC 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 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

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

- c. No monitoring/recordkeeping is required for sulfur dioxide emissions from the firing of wood/paper mill sludge/tire-derived fuel (TDF)/plastic waste/waste oil in this source (**ID No. JP-021**).
- d. The maximum sulfur content of any coal received and burned in this source (**ID No. JP-021**) shall not exceed 1.5 percent by weight. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516 if the sulfur content of the coal exceeds this limit.
- e. To ensure compliance, the Permittee shall monitor the sulfur and heat content of the coal by using coal supplier certification per total shipment received. The coal supplier certification shall be recorded in a logbook (written or electronic format) per total shipment and include the following information:
 - i. the name of the coal supplier;
 - ii. the maximum sulfur content of the coal received per total shipment;
 - iii. a statement verifying that the methods used to determine the maximum sulfur content of the coal was in accordance with the following:
 - A. sampling – ASTM Method D 2234;

- B. preparation – ASTM Method D 2013;
- C. gross calorific value (Btu) – ASTM Method D 5865;
- D. moisture content – ASTM Method D 3173; and
- E. sulfur content – ASTM Method D 3177 or ASTM Method D 4239.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516 if the sulfur content of the coal is not monitored and recorded.

- f. The Permittee is required to calculate and record in a logbook (written or electronic format) the pounds of sulfur dioxide per million Btu heat content of the coal per total shipment taking into account any controls operated during the same period. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516 if these records are not kept or if the results show an exceedance of the limit given in Section 2.1 A.2.a above.

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

- g. No reporting is required for sulfur dioxide emissions from the firing of wood/paper mill sludge/tire-derived fuel (TDF)/plastic waste/waste oil in this source (**ID No. JP-021**).
- h. The Permittee shall submit a summary report of the coal supplier certifications and calculations of the pounds of sulfur dioxide per million Btu heat content of the coal per shipment given in Sections 2.1 A.2.e and f 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 .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. JP-021**) 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 A.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.
- c. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limit above by testing the wood/coal/tire-derived (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (**ID No. JP-021**) for visible emissions with a testing protocol approved by the DAQ. Details of the emissions testing and reporting requirements can be found in General Condition JJ. Testing for all non-TDF and/or non-coal-firing scenarios shall be completed and the results submitted by **December 16, 2019**. Testing for the TDF and/or coal-firing scenarios shall be completed and the results submitted within 180 days of re-commencement of TDF and/or coal firing. If the results of this test are above the limit given in Section 2.1 A.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

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

- d. i. To ensure compliance, once a day the Permittee shall observe the emission points of this source (**ID No. JP-021**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three (3) days of absent observations per semi-annual period. 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 A.3.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 d.i.(A) above;
 - (B) the demonstration in d.i.(B) above cannot be made; or
 - (C) the daily observations are not conducted per d.i above.

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

- e. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date and time of each recorded action;
 - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - iii. the results of any corrective actions performed.The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

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

- f. The Permittee shall submit a summary report of the monitoring and recordkeeping activities given in Sections 2.1 A.3.d and e 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.

**4. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS
for 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. In order to avoid applicability of 15A NCAC 02D .0530 for major sources and major modification, this source (**ID No. JP-021**) shall discharge into the atmosphere less than 250 tons of sulfur dioxide total, per consecutive 12-month period.

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 A.4.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

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

- c. The Permittee shall keep monthly records of the amount of each fuel used and the sulfur content, including certification of the fuel, in a logbook (written or electronic format). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not maintained.
- d. The Permittee will not be required to keep further records of sulfur dioxide emissions unless the facility begins combusting coal or TDF in this source (**ID No. JP-021**). If the facility reverts to combusting coal or TDF, the use of fuel in this source (**ID No. JP-021**) shall be limited such that the sulfur dioxide emissions shall not exceed 250 tons for any consecutive 12-month period. Calculations shall be made monthly and recorded in a logbook at the end of each month. Sulfur dioxide emissions shall be determined by multiplying the total amount of each type of sulfur-containing fuel by the sulfur content of the fuel and then multiplying by 2.0 (i.e., 2.0 pounds of sulfur dioxide generated per pound of sulfur combusted). The calculation and the total amount of sulfur dioxide emissions shall be recorded in a monthly emissions logbook. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the above records are not kept or if the sulfur dioxide emissions exceed the limit in Section 2.1 A.4.a above.

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

- e. No reporting is required unless the facility enables their coal or TDF combusting capabilities of this source (**ID No. JP-021**). If the facility reverts to combusting coal or TDF, the Permittee shall submit a summary report of monitoring and recordkeeping activities given in Sections 2.1 A.4.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. The report shall contain the following:
 - i. the monthly sulfur dioxide emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months;
 - ii. the monthly quantities of each fuel type consumed for the previous 17 months and the average sulfur content for that fuel; and
 - iii. all instances of deviations from the requirements of this permit must be clearly identified.

**5. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS
for 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. In order to avoid applicability of 15A NCAC 02D .0530, the above emission source (**ID No. JP-021**) shall discharge into the atmosphere less than 250 tons of carbon monoxide per consecutive 12-month period.

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 A.5.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.
- c. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limit above by testing the wood/coal/tire-derived (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (**ID No. JP-021**) for carbon monoxide with a testing protocol approved by the DAQ. Details of the emissions testing and reporting requirements can be found in General Condition JJ. Testing for all non-TDF and/or non-coal-firing scenarios shall be completed and the results submitted by **December 16, 2019**. Testing for the TDF and/or coal-firing scenarios shall be completed and the results submitted within 180 days of re-commencement of TDF and/or coal firing. If the results of this test are above the limit given in Section 2.1 A.5.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

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

- d. The Permittee shall keep monthly records of the amount of fuel used in a logbook (written or electronic format). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not kept.
- e. The use of fuel in this source (**ID No. JP-021**) shall be limited such that carbon monoxide emissions do not exceed 250 tons for any consecutive 12-month period. Calculations shall be made monthly and recorded in a logbook (written or electronic format) at the end of each month. The calculation and the total amount of carbon monoxide emissions shall be recorded monthly. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not kept or if the carbon monoxide emissions exceed the limit in Section 2.1 A.5.a above.

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

- f. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Sections 2.1 A.5.d and e 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. The report shall contain the following:

- i. the monthly carbon monoxide emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months;
- ii. the monthly quantities of wood, coal, tire-derived fuel, paper mill sludge, and waste oil consumed for the previous 17 months; and
- iii. all instances of deviations from the requirements of this permit must be clearly identified.

6. 15A NCAC 02D .0614: COMPLIANCE ASSURANCE MONITORING

a. Per 40 CFR 64 and 15A NCA 02D .0614, the Permittee shall comply with the following requirements.

b. Background.

- i. Emission Unit – One wood/coal/tire-derived fuel (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (**ID No. JP-021**).
- ii. Applicable regulations, emission limit, and associated control devices –
 - A. Regulation – 15A NCAC 02D .0504
 - B. Emission Limit – 0.39 pounds particulate matter per million Btu heat input while firing wood and an emission limit as calculated by the following equation while combusting wood with other non-wood fuels:

$$E = [(0.39)(Q_w) + (0.33)(Q_o)] / (Q_t)$$

Where: Q_w = actual wood heat input rate in Btu per hour

Q_o = actual other fuel heat input rate in Btu per hour

$Q_t = Q_w + Q_o$

C. Control Technology – One multicyclone (**ID No. CD-1-1**) in series with one venturi scrubber (**ID No. CD-1-2**).

c. Monitoring approach – The key elements of the monitoring approach for particulate matter, including parameters to be monitored, parameter ranges and performance criteria are presented in the following table. The selected indicator is scrubber water flow rate.

Measure	Indicator
I. Indicator Measurement approach	Scrubber water flow rate Water flow entering the scrubber will be monitored with a flow meter. The normal operating range for flow rate has been set as readings above 540 gallons per minute.
II. Indicator range QIP threshold	An excursion is defined as a flow rate reading less than 550 gallons per minute. The QIP threshold is ten (10) excursions in the reporting period. An excursion triggers an inspection, corrective action, and a reporting requirement.

Measure	Indicator
III. Performance criteria	
A. Data representativeness	The flow meter can be installed at any point on the water line because the flow will be consistent throughout the line and the gauges have an accuracy of +5%.
B. Verification of Operational Status	Flow rate above the indicator range indicates normal operation of the scrubber.
C. QA/QC Practices	At a minimum, the flow meter is calibrated annually or per manufacturer’s instructions.
D. Monitoring Frequency	Measurements are made once per shift.
Data collection procedures	Measurements are manually recorded at each interval.
Averaging periods	None.

Recordkeeping Requirements [15A NCAC 02Q .0508(f), 40 CFR 64.9]

- d. The Permittee shall maintain records of the following:
 - i. Date and time and results of all monitoring activities;
 - ii. Information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken; and
 - iii. If the number of excursions exceeds the QIP threshold specified in Section 2.1 A.6.c above, the written QIP required pursuant to 40 CFR 64.8 and any activities undertaken to implement a quality improvement plan.

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

- e. The Permittee shall submit a summary report of all monitoring and recordkeeping activities given in Sections 2.1 A.6.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 for the requirements of this permit must be clearly identified. At a minimum, the report shall include the following elements:
 - 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 Permittee 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.

7. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY

Applicability [40 CFR 63.11193, 63.11194(a)(1), (b), 63.11200(b)]

- a. For this source (an existing boiler in the biomass subcategory, **ID No. JP-021**), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 02D .1111, “Maximum Achievable Control Technology” as promulgated in 40 CFR 63, Subpart JJJJJ, “National Emission

Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources,” including Subpart A “General Provisions.”

Definitions and Nomenclature

- b. For the purposes of this permit condition, the definitions and nomenclature contained in 40 CFR 63.11237 shall apply.

General Provisions [40 CFR 63.11235]

- c. The Permittee shall comply with the General Provisions as applicable pursuant to Table 8 of 40 CFR 63 Subpart JJJJJJ.

Compliance Dates

- d. The Permittee shall achieve compliance with the initial tune up requirement no later than March 21, 2014. The Permittee met this requirement on January 14, 2014. [40 CFR 63.11196(a)(1), 63.11210(c)]
- e. The Permittee shall comply with the energy assessment requirement no later than March 21, 2014. The one-time energy assessment shall be performed by a qualified energy assessor. The Permittee met this requirement on March 10, 2014. [40 CFR 63.11196(a)(3), 40 CFR 63.11201(b), Table 2]

Notification of Compliance Status [40 CFR 63.11225]

- f. The Permittee shall submit a Notification of Compliance Status no later than July 19, 2014. The Permittee met this requirement on July 18, 2014.

General Compliance Requirements [15A NCAC 02Q .0508(b)]

- g. 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. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that 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. [40 CFR 63.11205(a)] The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if these requirements are not met.

Performance Tune-up Requirements [15A NCAC 02Q .0508(b)]

- h. The Permittee shall conduct an initial tune-up of the boiler and subsequent tune-ups biennially.
 - i. Each biennial tune-up shall be conducted no more than 25 months after the previous tune-up.
 - ii. The Permittee shall conduct the tune-ups while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.
 - iii. The tune-ups shall be conducted according to the following procedures:
 - A. As applicable, inspect the burner, and clean or replace any components of the burner as necessary. The Permittee may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection. Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection.
 - B. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.
 - C. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly. The Permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection. Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection.

- D. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.
- E. Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.
- F. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

[40 CFR 63.11201(b), Table 2, 40 CFR 63.11223(a), (b)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if these requirements are not met.

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

- i. The Permittee shall maintain the following records:
 - i. As required in 40 CFR 63.10(b)(2)(xiv), the Permittee shall keep a copy of each notification and report that was submitted to comply with this rule and all documentation supporting any Notification of Compliance Status that was submitted.
 - ii. The Permittee shall keep the following records to document conformance with the performance tune-ups:
 - A. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.
 - B. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler.
 - C. A description of any corrective actions taken as a part of the tune-up of the boiler.
 - D. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit.
 - iii. The Permittee shall keep a copy of each boiler energy assessment report.
 - iv. Records of the occurrence and duration of each malfunction of the boiler or of the associated air pollution control and monitoring equipment.
 - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in Section 2.1 A.7.g, including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.
 - vi. For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to 40 CFR 241.3(b)(1), the Permittee shall keep a record which documents how the secondary material meets each of the legitimacy criteria under 40 CFR 241.3(d)(1). If the Permittee combusts a fuel that has been processed from a discarded non-hazardous secondary material pursuant to 40 CFR 241.3(b)(4), the Permittee must keep records as to how the operations that produced the fuel satisfies the definition of processing in 40 CFR 241.2 and each of the legitimacy criteria in 40 CFR 241.3(d)(1). If the fuel received a non-waste determination pursuant to the petition process submitted under 40 CFR 241.3(c), the Permittee must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary materials as fuel per 40 CFR 241.4, the Permittee must keep records documenting that the material is a listed non-waste under 40 CFR 241.4(a). [40 CFR 63.11225(c), 63.11223(b)(6)]
- j. The records must be in a form suitable and readily available for expeditious review. The Permittee shall keep each record for 5 years following the date of each recorded action. The Permittee shall keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. The Permittee may keep the records off site for the remaining 3 years. [40 CFR 63.11225(d)]

- k. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in Sections 2.1 A.7.i and j are not met.

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

- l. The reporting requirements of 40 CFR 63.11225(b) shall be met by complying with General Condition P of Section 3 of this permit.

B. One paper machine (ID No. PM-01)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Odors	State-enforceable only See Section 2.2 A.2 Control of odorous emissions	15A NCAC 02D .1806
Toxic air pollutants	State-enforceable only See Section 2.2 A.3 Facility-wide compliance with TPER	15A NCAC 02Q .0711

C. One temporary natural gas-fired boiler (ID No. JP-023)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	0.30 pounds per million Btu heat input	15A NCAC 02D .0503
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Odors	State-enforceable only See Section 2.2 A.2 Control of odorous emissions	15A NCAC 02D .1806
Toxic air pollutants	State-enforceable only See Section 2.2 A.3 Facility-wide compliance with TPER	15A NCAC 02Q .0711

1. 15A NCAC 02D .0503: PARTICULATES FROM FUEL BURNING INDIRECT HEAT EXCHANGERS

- a. Emissions of particulate matter from the combustion of natural gas that are discharged from boiler (**ID No. JP-023**) into the atmosphere shall not exceed 0.30 pounds per million Btu heat input.

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 C.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0503.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- d. No monitoring/recordkeeping/reporting is required for particulate emissions from the firing of natural gas in this boiler.

2. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. JP-023**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

Testing [15A NCAC 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 C.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

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

- c. No monitoring/recordkeeping is required for sulfur dioxide emissions from the firing of natural gas in this source (**ID No. JP-023**).

3. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. JP-023**) 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.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing natural gas in this boiler.

4. NCGS 143-215.108: CONTROL OF SOURCES OF AIR POLLUTION; PERMITS REQUIRED

- a. Under the provisions of NCGS 143-215.108, the Permittee shall not operate the temporary boiler (**ID No. JP-023**) while the wood/coal/tire-derived (TDF)/paper mill sludge/plastic waste/waste oil-fired boiler (**ID No. JP-021**) is in operation.
- b. Under the provisions of NCGS 143-215.108, the temporary boiler (**ID No. JP-023**) shall remain on site for no more than 180 consecutive days.

Monitoring/Recordkeeping/Reporting

- c. The Permittee shall notify the Regional Supervisor, DAQ, with written notification at least 7 days, or less in case of an emergency, before the temporary boiler (**ID No. JP-023**) is placed on site.
- d. To ensure compliance with paragraphs (a) above, the Permittee shall record each day that temporary boiler (**ID No. JP-023**) is in operation.
- e. To ensure compliance with paragraphs (b) above, the Permittee shall record the date the temporary boiler (**ID No. JP-023**) is placed on site and the date that the temporary boiler (**ID No. JP-023**) is removed from the site.
- f. The dates shall be recorded in a logbook (written or electronic format) onsite and made available to an authorized representative upon request.

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

A. Facility-wide Affected Sources

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Hazardous air pollutants	less than 10 tons per year of any individual HAP and less than 25 tons per year of a combination of HAPs	15A NCAC 02Q .0317 for avoidance of 15A NCAC 02D .1111
Odors	State-enforceable only Control of odorous emissions	15A NCAC 02D .1806
Toxic air pollutants	State-enforceable only Facility-wide compliance with TPER	15A NCAC 02Q .0711
Toxic air pollutants	State-enforceable only <ul style="list-style-type: none"> • Waste oil shall not exceed allowable constituent/property levels. • The total amount of paper mill sludge combusted shall not exceed 800 dry pounds per hour. • The total amount of paper mill sludge combusted at the facility shall not exceed 5,256,000 dry pounds per year. 	15A NCAC 02Q .0317 (NC Toxics Avoidance)

1. 15A NCAC 02Q .0317 FOR AVOIDANCE OF 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY

- a. In order to remain classified a minor source for hazardous air pollutants and avoid applicability of this regulation, facility emissions shall be less than:
 - i. 10 tons per year of each individual hazardous air pollutant, and
 - ii. 25 tons per year of all hazardous air pollutants combined.

The Permittee shall be deemed in noncompliance with this condition and 02D .1111 (40 CFR Part 63 Subpart DDDDD entitled “NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters) if the HAP emissions exceed these limits.

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

- b. No monitoring or recordkeeping is required when firing wood, paper mill sludge, plastic waste, or waste oil in the boiler (**ID No. JP-021**).
- c. If the Permittee reverts to combusting coal or TDF, the total amount of coal and/or TDF combusted in the boiler (**ID No. JP-021**) shall not exceed 13,000 tons per consecutive 12 months, combined. The Permittee shall keep monthly records of the amount of coal and/or TDF used in a logbook (written or electronic format). The Permittee shall be deemed in noncompliance with 02D .1111 if amount of coal and/or TDF is not monitored and recorded or if total amount of coal and/or TDF combusted at the facility exceeds 13,000 tons per consecutive 12 months, combined.
- d. The Permittee shall keep records of the MACT applicability determination, as provided above, on site at the source for a period of five years after the determination, or until the source becomes an affected source. The determination must include the analysis demonstrating why the Permittee believes the source is unaffected pursuant to 40 CFR Part 63.10(b)(3). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the records are not maintained.

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

- e. No reporting is required when firing wood, paper mill sludge, plastic waste, or waste oil in the boiler (**ID No. JP-021**).
- f. If the Permittee reverts to combusting coal or TDF in the boiler (**ID No. JP-021**), the Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.2 A.1.c 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. The report shall contain the following:
 - i. the monthly quantities of coal and/or TDF consumed for the previous 17 months. The quantities consumed must be calculated for each of the 12-month periods over the previous 17 months; and
 - ii. all instances of deviations from the requirements of this permit must be clearly identified.

State-enforceable only**2. 15A NCAC 02D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS**

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

State-enforceable only**3. 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 (TAPs), the Permittee has made a demonstration that facility-wide actual emissions do not exceed the Toxic Permit Emission Rates (TPERs) listed in 15A NCAC 02Q .0711. The facility shall be operated and maintained in such a manner that emissions of any listed TAPs from the facility, including fugitive emissions, will not exceed the TPERs listed in 15A NCAC 02Q .0711.
 - i. A permit to emit any of the below listed TAPs shall be required for this facility if actual emissions from all sources will become greater than the corresponding TPERs.
 - ii. Prior to exceeding any of these listed TPERs, the Permittee shall be responsible for obtaining a permit to emit TAPs and for demonstrating compliance with the requirements of 15A NCAC 02D .1100 "Control of Toxic Air Pollutants."
 - iii. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPERs listed below:

Pollutant(s) (CAS number)	TPER Limitations			
	Carcinogens (lbs/yr)	Chronic Toxicants (lbs/day)	Acute Systemic Toxicants (lbs/hr)	Acute Irritants (lbs/hr)
Benzyl chloride (100-44-7)			0.13	
1,3-butadiene (106-99-0)	12			
Dichlorodifluoromethane (75-71-8)		5,200		
p-dichlorobenzene (106-46-7)				16.8
Methyl chloroform (71-55-6)		250		64

Pollutant(s) (CAS number)	TPER Limitations			
	Carcinogens (lbs/yr)	Chronic Toxicants (lbs/day)	Acute Systemic Toxicants (lbs/hr)	Acute Irritants (lbs/hr)
Nickel (7440-01-0)		0.13		
Perchloroethylene (127-18-4)	13,000			
Phenol (108-95-2)			0.24	
Styrene (100-42-5)			2.7	
1,1,2,2-tetrachloroethane (79-34-5)	430			
Trichloroethylene (79-01-6)	4,000			
Trichlorofluoromethane (75-69-4)			140	
Vinyl chloride (75-01-4)	26			
Xylene (1330-20-7)		57		16.4

State-enforceable only

**4. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS
for 15A NCAC 02Q .0700: TOXIC AIR POLLUTANT PROCEDURES**

- a. In accordance with 15A NCAC 02Q .0317, the Permittee is avoiding the applicability of 15A NCAC 02Q .0700 by using waste oil which is equivalent to its virgin counterpart. The Permittee is allowed to use waste oil as follows:

Specifications – The waste oil shall be equivalent to unadulterated fossil fuel by meeting the following criteria:

Constituent/Property	Allowable Limit
Arsenic	1 ppm
Cadmium	2 ppm
Chromium	5 ppm
Lead	100 ppm
Total Halogens	1000 ppm
Flash Point	100 degrees Fahrenheit minimum
Sulfur	1.0% maximum
Ash	1.0% maximum

Testing [15A NCAC 02D .2601]

- b. The DAQ reserves the right to require additional testing and/or monitoring of the waste oil on an annual basis or without notice.

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

- c. The Permittee is responsible for ensuring, through annual testing, that the waste oil meets the approved criteria above. The Permittee is held responsible for any discrepancies discovered by DAQ as a result of any sampling and analysis of the waste oil.
- d. The on-site generated waste oil combusted at the facility shall not exceed 10 tons per year.
- e. The total amount of paper mill sludge combusted at the facility shall not exceed 800 dry pounds per hour.
- f. The total amount of paper mill sludge combusted at the facility shall not exceed 5,256,000 dry pounds per year.
- g. The Permittee shall keep records on-site to verify that these limits are not exceeded.

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

- h. Within 30 days after each calendar year, regardless of the amount of waste oil combusted, the Permittee shall submit in writing to the Regional Supervisor, DAQ, the following:
 - i. a summary of the results of the analytical testing for the previous 12 months; and
 - ii. the total amount of waste oil and paper mill sludge combusted at the facility for the previous 12 months.

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.

ATTACHMENT

List of Acronyms

AOS	Alternative Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
NAA	Non-Attainment Area
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
OAH	Office of Administrative Hearings
PM	Particulate Matter
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound