



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

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Director

July XX, 2016

Elijah Williams, P.E.
Water Reclamation Superintendent
City of Greensboro – T. Z. Osborne Water Reclamation Facility
2350 Huffine Mill Road
McLeansville, NC 27301

SUBJECT: Air Quality Permit No. 04489T23
Facility ID: 4100923
City of Greensboro – T.Z. Osborne Water Reclamation Facility
McLeansville, Guilford County, North Carolina
Permit Class: Title V
PSD Class: Minor

Dear Mr. Williams:

In accordance with your completed Air Quality Permit Application for a 1st Time Title V permit received March 14, 2014, we are forwarding herewith Air Quality Permit No. 04489T23 to City of Greensboro – T. Z. Osborne Water Reclamation Facility, McLeansville, Guilford County, North Carolina authorizing the continued 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 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.

Elijah Williams, P.E.

July XX, 2016

Page 2

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

Guilford County has triggered increment tracking under PSD for PM-10 and SO₂. However, this permit modification does not consume or expand increments for any pollutants.

This Air Quality Permit shall be effective from July XX, 2016 until June XX, 2021, 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 Lori Ann Phillips at (919) 707-8461 or lori.phillips@ncdenr.gov.

Sincerely yours,

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

Enclosure

c: Heather Ceron, EPA Region 4
Winston-Salem Regional Office
Central Files

ATTACHMENT to Permit No. 04489T23

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

Emission Source ID No.	Emission Source Description
IES-16 [NESHAP Subpart ZZZZ]	60 kW diesel-fired emergency generator
IES-3 [NESHAP Subpart ZZZZ]	100 kW diesel-fired emergency generator
IES-4 [NESHAP Subpart JJJJJ Avoidance]	Natural gas/No. 2 fuel oil-fired boiler (8.4 million Btu per hour maximum heat input)
IES-20 [NESHAP Subpart JJJJJ Avoidance]	Natural gas/No. 2 fuel oil-fired boiler (8.4 million Btu per hour maximum heat input)
IES-5	One 15,000-gallon No. 2 fuel oil/diesel storage tank
IES-6	One 12,000-gallon diesel fuel storage tank

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 "The Regulatory Guide for Insignificant Activities/Permits Exempt Activities". 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 the City of Greensboro – T.Z. Osborne Water Reclamation Facility Air Permit No. 04489T23:

Page No.	Section	Description of Changes
Cover and throughout	All	Updated all dates and permit revision numbers. Converted permit format from a State permit to a Title V permit.
N/A	N/A	Removed the Synthetic Minor permit stipulation and associated operation restrictions, recordkeeping requirements, and reporting requirements.
N/A	N/A	Removed 15A NCAC 02D .0605, as this permit condition is found in Section JJ of the General Conditions.
N/A	N/A	Removed 15A NCAC 02D .1806 Odor Control Requirements as wastewater treatment plants are exempt from this rule.
Attachment	Attachment	Added IES-3 (100 kW diesel-fired emergency generator) to the Insignificant Activities list as it had been inadvertently removed.
N/A	N/A	Corrected the control device description for CD-21 to “wet tray scrubber” in the emission source list and throughout the permit as appropriate.



AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
04489T23	04489R22	July XX, 2016	June XX, 2021

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 2D and 2Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 2Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee: **City of Greensboro – T.Z. Osborne Water Reclamation Facility**

Facility ID: **4100923**

Facility Site Location: **2350 Huffine Mill Road**
City, County, State, Zip: **McLeansville, Guilford County, North Carolina 27301**

Mailing Address: **2350 Huffine Mill Road**
City, State, Zip: **McLeansville, Guilford County, North Carolina 27301**

Application Number: **4100923.14B**
Complete Application Date: **July 30, 2014**

Primary SIC Code: **4952**
Division of Air Quality, **Winston-Salem Regional Office**
Regional Office Address: **585 Waughtown Street**
Winston-Salem, NC 27107

Permit issued this the XXth day of July, 2016.

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

Table of Contents

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

SECTION 2: SPECIFIC LIMITATIONS AND CONDITIONS

- 2.1- Emission Source(s) Specific Limitations and Conditions (Including specific requirements, testing, monitoring, recordkeeping, and reporting requirements)
- 2.2- Multiple Emission Source(s) Specific Limitations and Conditions (Including specific requirements, testing, monitoring, recordkeeping, and reporting requirements)

SECTION 3: GENERAL PERMIT CONDITIONS

ATTACHMENTS

- List of Insignificant Activities
- List of Changes Made to the Permit
- List of Acronyms

SECTION 1 - PERMITTED EMISSION SOURCES AND ASSOCIATED AIR POLLUTION CONTROL DEVICES AND APPURTENANCES

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

Page Nos.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
4-11,15	ES-1 [NSPS Subpart O, NESHAP Subpart C & E, Federal Plan Subpart LLL]	Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input)	CD-1 CD-21	One hydrosonic wet scrubber (631 gallons per minute minimum liquid injection rate) in series with One wet tray scrubber (440 gallons per minute minimum liquid injection rate)
4-11, 15	ES-20 [NSPS Subpart O, NESHAP Subpart C & E, Federal Plan Subpart LLL]	Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input)	CD-20 CD-21	One hydrosonic wet scrubber (631 gallons per minute minimum liquid injection rate) in series with One wet tray scrubber (440 gallons per minute minimum liquid injection rate)
11, 15	ES-5	One mechanical screens and wastewater pump station	CD-17, CD-18	Two wet scrubbers (240 gallons per minute liquid injection rate, each, arranged in parallel)
11, 15	ES-6A through ES-6C	Three sludge centrifuges	CD-9, CD-10	Two wet scrubbers (480 gallons per minute liquid injection rate, each, arranged in parallel)
11, 15	ES-11A and ES-11B	Aerated grit chamber system (40 million gallons per day capacity) consisting of two grit chambers	CD-5A, CD-5B	Two wet scrubbers (300 gallons per minute liquid injection rate, each, arranged in parallel)
11, 15	ES-12A through ES-12F	Primary settling tank system (40 million gallons per day capacity) consisting of six settling tanks		
11, 15	ES-13A through ES-13L	Activated sludge tank system (40 million gallons per day capacity) consisting of twelve aeration tanks		

Page Nos.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
11, 15	ES-15A through ES-15D	Four sludge thickener tanks	CD-6	One wet scrubber (75 gallons per minute liquid injection rate)
11, 15	ES-15E and ES-15F	Two sludge holding tanks		
11, 15	ES-22A and ES-22B	Two sludge receiving tanks		
11, 15	ES-17	One sand storage silo	CD-11	One bagfilter (112 square feet of filter surface area)
13, 15	ES-18 [NESHAP Subpart ZZZZ]	2,000 kW No. 2 fuel oil-fired emergency generator	N/A	N/A
13, 15	ES-19 [NESHAP Subpart ZZZZ]	2,000 kW No. 2 fuel oil-fired emergency generator	N/A	N/A
13, 15	ES-23 [NSPS Subpart IIII, NESHAP Subpart ZZZZ]	3,250 kW diesel-fired emergency generator	N/A	N/A

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

The emission sources 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 natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input) (ID No. ES-1) controlled by one hydrosonic wet scrubber (ID No. CD-1) in series with a wet tray scrubber (ID No. CD-21)**
One natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input) (ID No. ES-20) controlled by one hydrosonic wet scrubber (ID No. CD-20) in series with a wet tray scrubber (ID No. CD-21)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input each	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Particulate matter	1.3 pounds per ton of dry sludge input	15A NCAC 02D .0524
Visible emissions	20 percent opacity	Subpart O
Toxic air pollutants	State-enforceable only	15A NCAC 02D .1100
Hazardous air pollutants	NESHAP Subparts C & E	15A NCAC 02D .1110

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter Visible emissions SO2 Odorous emissions HCl Hg Beryllium Toxic air pollutants Total hydrocarbons CO	1.3 pounds per ton of dry sludge input 20% opacity 2.3 pounds per million Btu As per 15A NCAC 02D .1806 4 pounds per hour As per 15A NCAC 02D .1100 As per 15A NCAC 02D .1100 As per 15A NCAC 02D .1100 100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture) 100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)	15A NCAC 02D .1204
Toxic air pollutants	State-enforceable only See Section 2.2 A.2	15A NCAC 02Q .0711
Pb, As, Cd, Cr, Ni	40 CFR 503.43(c)	40 CFR Part 503, Subpart E
Cd, Co, HCl, Hg, NOx, Pb, PCDD/PCDF, PM, SO2, fugitive emissions	40 CFR Part 62, Subpart LLL	40 CFR Part 62, Subpart LLL

1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from these sources (**ID Nos. ES-1 and ES-20**) 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.1.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

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

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the burning of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-20**).

2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

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

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.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 of No. 2 fuel oil in these sources (**ID Nos. ES-1 and ES-20**).

3. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS SUBPART O

- a. For the sewage sludge incinerators (**ID Nos. ES-1 and ES-20**), the Permittee shall comply with all applicable provisions for emissions standards, compliance and performance testing, emission monitoring, and reporting and recordkeeping, in accordance with 15A NCAC 02D .0524 “New Source Performance Standards (NSPS)” as promulgated in 40 CFR 60, Subpart O “Standards of Performance for Sewage Treatment Plants”, including Subpart A “General Provisions.”

NSPS Emissions Limitations [§60.152]

- b. The following permit limits shall not be exceeded:

Affected Source(s)	Pollutant	Emissions Limit
Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input) (ID No. ES-1)	TSP	1.3 pounds per ton of dry sludge input
and Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input) (ID No. ES-20)	Visible Emissions	Less than 20 percent opacity

PM – Scrubber Requirements

- c. As required by 15A NCAC 2D .0524, particulate matter emissions from the fluidized bed sewage sludge incinerators (ID No. ES-1 and ES-20) shall be controlled as described in the permitted equipment list.
 - i. Inspection and Maintenance Requirements - To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspections and maintenance (I&M) as recommended by the manufacturer. In addition, the Permittee shall perform an annual internal inspection of the hydrosonic wet scrubbers (**ID No. CD-1 and CD-20**), and wet tray scrubber (**ID No. CD-21**). As a minimum, the annual internal inspection will include inspection of spray nozzles, packing material (if applicable), chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation. [15A NCAC 02Q .0508(f)]
 - ii. Recordkeeping Requirements - The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance activities shall be recorded in the logbook. The logbook (in written or electronic format) shall be kept on-site and made available to DAQ personnel upon request. [15A NCAC 02Q .0508(f)]

Monitoring/Recordkeeping [§60.153]

- d. Install, calibrate, operate and maintain monitoring devices for the sewage sludge charge rate, auxiliary fuel flow rate, fluidized bed and freeboard area combustion temperatures and exhaust gas oxygen content of the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) and the pressure drop of their associated hydrosonic wet scrubbers (**ID Nos. CD-1 and CD-20**) and wet tray scrubber (**ID No. CD-21**). If monitoring and recordkeeping is not performed, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if monitoring and recordkeeping is not performed.

Reporting [§60.155]

- e. Submit semiannual reports to the Regional Supervisor, DAQ, by January 30th and July 30th of each year that include a summary of:

i. Those periods of duration of at least 15 minutes during which the average pressure drop of the hydrosonic wet scrubbers is less than 48.9 inches of water column, 52.2 inches of water column, and 7 inches of water column (**ID Nos. CD-1, CD-20, and CD-21, respectively**) while sewage sludge is charged into the fluidized bed incinerators (**ID Nos. ES-1 and ES-20**) during the 6 prior calendar months.

***These minimum pressure drop values need to be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.

ii. Those periods of duration of at least 1 hour during which the average oxygen content of the fluidized bed sewage sludge incinerators' exhaust gas is greater than 9.7%, 9.6%, and 7% (**ID Nos. CD-1, CD-20, and CD-21, respectively**) while sewage sludge is charged into the fluidized bed incinerators (**ID Nos. ES-1 and ES-20**) during the 6 prior calendar months.

***These oxygen content values for the exhaust of the sewage sludge incinerator need to be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.

STATE-ONLY REQUIREMENT

4. 15A NCAC 02D .1100 "Control of Toxic Air Pollutants"

Affected Source(s)	Toxic Air Pollutant	Emissions Limit
Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input) (ID No. ES-1)	Arsenic & Compounds (total mass of elemental AS, arsine and all inorganic compounds) (ASC (7778394))	13.21 pounds/year
	Benzene (71-43-2)	11.54 pounds/year
	Beryllium Metal (unreacted) (Component of BEC) (7440-41-7)	1.93 pounds/year
and		
	Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input) (ID No. ES-20)	
	Cadmium Metal, elemental, unreacted (Component of CDC) (7440-43-9)	23.92 pounds/year
Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input) (ID No. ES-1)	Carbon tetrachloride (56-23-5)	0.683 pound/year
	Chlorobenzene (108-90-7)	0.0008 pound/day
	Chloroform (67-66-3)	114.02 pounds/year
	Dichlorobenzene(p), 1,4- (106-46-7)	1.56 pounds/hour
	Formaldehyde (50-00-0)	0.0031 pound/hour
	Hexachlorodibenzo-p-dioxin 1,2,3,6,7,8 (57653-85-7)	0.000051 pound/year
	Hydrogen chloride (hydrochloric acid) (7647-01-0)	2.17 pounds/hour
	Manganese & compounds (MNC)	0.049 pound/day
	Mercury, aryl and inorganic compounds (Component of HGC) (MERCARYL)	0.267 pound/day
	Methyl chloroform (71-55-6)	0.0017 pound/hour
	Methylene chloride (75-09-2)	0.0045 pound/hour and 39.74 pounds/year
	Nickel metal (Component of NIC) (7440-02-0)	0.3154 pound/day
	Natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input) (ID No. ES-20)	

	Chromium (VI) Non-Specific Compounds, as Chrom(VI) (Component CRC) (NSCR6)	1.41 pounds/year
	Perchloroethylene (tetrachloroethylene) (127-18-4)	6.84 pounds/year
	Sulfuric acid (7664-93-9)	9.33 pounds/day and 0.388 pound/hour
	Tetrachlorodibenzo-p-dioxin, 2,3,7,8- (Component of CLDC & 83329/POMTV) (1746-01-6)	0.000125 pound/year
	TCE (trichloroethylene) (79-01-6)	1.709 pounds/year

Toxic Air Pollutant Emissions Limitation And Requirements - The following provides a summary of limits and/or standards for the emission source(s) described above.

Restrictions [15A NCAC 02Q .0508(b)]

a. To ensure compliance with the above limits, the following restrictions shall apply:

- i. The charge rate of sewage sludge into either of the two fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) shall not exceed 6,500 pounds per hour (dry sludge basis) for any one hour.
- ii. Only one of the two fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) may be charged with sewage sludge at any time.

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

b. The Permittee shall maintain records of incinerator charge rates for the fluidized bed incinerators (**ID Nos. ES-1 and ES-20**).

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

- c. For compliance purposes, within 30 days after each calendar year, regardless of the actual emissions, the following shall be reported to the Regional Supervisor, DAQ:
 - i. The maximum hourly sewage sludge charge rate (dry sludge basis) achieved for each fluidized bed sewage sludge incinerator (**ID No. ES-1 and ES-20**) during the previous calendar year.

5. 15A NCAC 02D .1110: NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS SUBPARTS C AND E

For the natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 8.61 million Btu per hour rated auxiliary heat input) (**ID No. ES-1**) and natural gas/No. 2 fuel oil-fired-fluidized bed sewage sludge incinerator (6,500 pounds of dry sludge per hour maximum charge rate; 13.0 million Btu per hour rated auxiliary heat input) (**ID No. ES-20**), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .1110 "National Emissions Standards for Hazardous Air Pollutants" as promulgated in 40 CFR Part 61, Subpart C and Subpart E.

6. 15A NCAC 02D .1204: SEWAGE SLUDGE AND SLUDGE INCINERATORS

The Permittee shall comply with the following requirements for the natural gas/No. 2 fuel oil-fired fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**):

a. **Emissions Standards** [15A NCAC 02D .1204(c) and (d)]

Affected Facility	Pollutant	Emissions Limit
Fluidized bed sewage sludge incinerators (ID No. ES-1 and ES-20)	Particulate matter	1.3 pounds per ton of dry sewage sludge input
	Visible emissions	20% opacity
	Sulfur dioxide	2.3 pounds per million Btu
	Odorous emissions	As per 15A NCAC 2D .1806
	Hydrogen chloride	4 pounds per hour
	Mercury	As per 15A NCAC 2D .1110
	Beryllium	
	Toxic air pollutants	As per 15A NCAC 2D .1100
	Monthly average total hydrocarbons concentration (ID No. ES-1)	100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)
	Monthly average carbon monoxide concentration (ID No. ES-20)	

b. **Other metals** [40 CFR 503.43(c) and (d)]

Pollutant	Maximum Average Daily Concentration (mg/kg)
Lead	1,382
Arsenic	513
Cadmium	7,231
Chromium	9,614
Nickel	2,051

c. The maximum sewage sludge combustion temperatures in the fluidized beds of the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) shall not exceed 1,577 °F and 1,660 °F, respectively. The maximum sewage sludge combustion temperatures in the freeboard areas of the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) shall not exceed 1,888 °F and 2,038 °F, respectively.

d. The pressure drops of the wet scrubbers (**ID Nos. CD-1, CD-20, and CD-21**) shall be at least 48.9 inches of water column, 52.2 inches of water column, and 7 inches of water column, respectively, and liquid injection rates of the wet scrubbers (**ID Nos. CD-1, CD-20, and CD-21**) shall be at least 631 gallons per minute, 634 gallons per minute, and 440 gallons per minute, respectively, while sewage sludge is charged into the fluidized bed sewage sludge incinerators.

***Please note that these values for pressure drops and liquid injection rates need to be reestablished during the initial performance test, required to be conducted pursuant to the condition for 40 CFR 62 Subpart LLL.

Monitoring

- e. For the fluidized bed sewage sludge incinerators, the Permittee shall:
- i. Install, calibrate, maintain and operate continuous monitoring and recording devices for the incinerator fluidized bed and freeboard area temperatures and the incinerator exhaust gas total hydrocarbon concentration (**ID No. ES-1**), carbon monoxide concentration (**ID No. ES-20**), oxygen content, and moisture content. The continuous emissions monitoring devices for total hydrocarbon concentration and carbon monoxide concentration shall be certified in accordance with the appropriate performance specifications in 40 CFR Part 60, Appendix B.
 - ii. Monitor the beryllium and mercury concentrations in the sewage sludge charged to the incinerator as frequently as required by 40 CFR Part 61, but in no case less than once per year.
 - iii. Install, calibrate, maintain and operate continuous monitoring and recording devices for the pressure drop and liquid injection rate of the wet scrubbers (**ID Nos. CD-1, CD-20, and CD-21**).
 - iv. Monitor the lead, arsenic, cadmium, chromium and nickel concentrations in the sewage sludge charged into the incinerator as frequently as required by 40 CFR 503.46(a)(2) and (3).
 - v. Perform, at a minimum per 15A NCAC 02D .0508(f), at least one annual inspection for each scrubber (**ID Nos. CD-1, CD-20, and CD-21**) that includes the following:

- A. Inspection of spray nozzles, packing material, chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation annually.
- B. Two weeks following initial start-up and startup following major maintenance of each scrubber, the Permittee shall shut down the system and inspect for nozzle plugging and settling of the packing.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1204 if monitoring and recordkeeping is not performed.

Recordkeeping

- f. In accordance with 40 CFR 503.47 and 15A NCAC 2D .1204(f), the Permittee shall maintain records sufficient to demonstrate compliance with conditions 2.1.A.6.a through 2.1.A.6.e for at least 5 years.

Reporting

- g. In accordance with 40 CFR 503.48 and 15A NCAC 2D .1204(f), the Permittee shall submit to the Regional Supervisor, DAQ, in writing on or before January 30th of each year, a summary report of:
 - i. The concentrations of lead, arsenic, cadmium, chromium and nickel in the sewage sludge charged into the incinerators during the previous calendar year.
 - ii. The monthly average concentrations of total hydrocarbons (**ID No. ES-1**) and carbon monoxide (**ID No. ES-20**) in the exhaust gas of the incinerators in parts per million on a volume basis, corrected to 0% moisture and 7% oxygen, during the previous calendar year.
 - iii. Those periods of duration of at least 15-minutes during which the average liquid injection flow rates of the wet scrubbers (**ID Nos. CD-1, CD-20, and CD-21**) are less than 631 gallons per minute, 634 gallons per minute, and 440 gallons per minute, respectively, while sewage sludge is charged into the fluidized bed sewage sludge incinerators during the previous calendar year.
 - iv. Those periods of duration of at least 15-minutes during which the average fluidized bed combustion temperatures in the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) exceed 1,577 °F and 1,660 °F, respectively, or the freeboard areas of the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) exceed 1,888 °F and 2,038 °F, respectively, while sewage sludge is charged into the fluidized bed sewage sludge incinerators during the previous calendar year.

7. 40 CFR Part 503, SUBPART E – STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE: INCINERATION

For the sewage sludge incinerators (**ID Nos. ES-1 and ES-20**), the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in 40 CFR Part 503, Subpart E indicated below.

Emissions of Lead

- a. The average daily lead concentration in the sewage sludge fed into the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(c).

Emissions of Arsenic, Cadmium, Chromium, and Nickel

- b. The average daily concentrations of arsenic, cadmium, chromium and nickel in the sewage sludge fed into the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(d).

Management Practices

- c. As required by 40 CFR 503.45, the Permittee shall follow the following management practices:
 - i. The Permittee shall install, calibrate, operate, and maintain continuous monitoring and recording devices for the hydrocarbon or carbon monoxide concentrations (whichever is applicable), oxygen concentration, and moisture content of the exhaust gases and the combustion temperatures of the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**).
 - ii. The Permittee shall not operate the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) such that the combustion temperatures exceed the combustion temperatures achieved during the performance testing by more than 20%.
 - iii. The monitoring and recording devices and the control devices installed on the fluidized bed sewage sludge incinerators (**ID Nos. ES-1 and ES-20**) to comply with this Subpart must be appropriate for the type of incinerator. The operating parameters of the control device must be adequate to indicate proper performance of

the control device. The operation of the control device must not violate the control device requirements of 40 CFR Part 60, Subpart O.

8. 40 CFR 62 SUBPART LLL – FEDERAL PLAN REQUIREMENTS FOR SEWAGE SLUDGE INCINERATION UNITS CONSTRUCTED ON OR BEFORE OCTOBER 14, 2010 “Federally-Enforceable Only”

For the fluidized bed sewage sludge incinerators (ID Nos. ES-1 and ES-20), the Permittee shall comply by March 21, 2016, with all applicable provisions, including emission standards, monitoring and reporting requirements, maintenance requirements, notification and recordkeeping requirements, performance test requirements, test method and procedural provisions, and any other provisions, as required therein. This condition is “Federally-Enforceable Only”.

- B. One mechanical screens and wastewater pump station (ID No. ES-5) controlled by two wet scrubbers (ID Nos. CD-11 and CD-18)**
- Three sludge centrifuges (ID Nos. ES-6A through ES-6C) controlled by two wet scrubbers (ID Nos. CD-9 and CD-10)**
- Aerated grit chamber system (40 million gallons per day capacity) consisting of two grit chambers (ID Nos. ES-11A and ES-11B) controlled by two wet scrubbers (ID Nos. CD-5A and CD-5B)**
- Primary settling tank system (40 million gallons per day capacity) consisting of six settling tanks (ID Nos. ES-12A through ES-12F) controlled by two wet scrubbers (ID Nos. CD-5A and CD-5B)**
- Activated sludge tank system (40 million gallons per day capacity) consisting of twelve aeration tanks (ID Nos. ES-13A through ES-13L) controlled by two wet scrubbers (ID Nos. CD-5A and CD-5B)**
- Four sludge thickener tanks (ID Nos. ES-15A through ES-15D) controlled by one wet scrubber (ID No. CD-6)**
- Two sludge holding tanks (ID Nos. ES-15E and ES-15F) controlled by one wet scrubber (ID No. CD-6)**
- Two sludge receiving tanks (ID Nos. ES-22A and ES-22B) controlled by one wet scrubber (ID No. CD-6)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
N/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 See Section 2.2 A.1	15A NCAC 02D .0611
Toxic air pollutants	State-enforceable only See Section 2.2 A.2	15A NCAC 02Q .0711

C. One sand storage silo (ID No. ES-17) controlled by one bagfilter (ID No. CD-11)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ Where: E = allowable emission rate in pounds per hour P = process weight in tons per year	15A NCAC 02D .0515
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Toxic air pollutants	State-enforceable only See Section 2.2 A.2	15A NCAC 02Q .0711

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

- a. Emissions of particulate matter from this source (ID No. ES-17) shall not exceed an allowable emission rate as

calculated by the following equation:

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

P = process weight in tons per hour

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

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

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

- c. Particulate matter emissions from this source (**ID No. ES-17**) shall be controlled by a bagfilter (**ID No. CD-11**) as described above. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirements shall include the following:

- i. a monthly visual inspection of the system ductwork and material collection units for leaks; and
- ii. an annual (for each 12-month period following initial inspection) internal inspection of the bagfilters' structural integrities.

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

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

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if these records are not maintained.

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

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

2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. ES-17**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.2.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 this source (**ID No. ES-17**).

- D. Two No. 2 fuel oil-fired emergency generators (2,000 kW each, ID Nos. ES-18 and ES-19)**
One diesel fuel-fired emergency generator (3,250 kW, ID No. ES-23)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input (ID Nos. ES-18, ES-19, and ES-23)	15A NCAC 02D .0516
Visible emissions	20 percent opacity (ID Nos. ES-18, ES-19, and ES-23)	15A NCAC 02D .0521
NMHC + NO _x , HC, NO _x , CO, PM	Meets the requirements of NSPS, Subpart IIII, 40 CFR 63.6590(c) to meet the requirements of MACT Subpart ZZZZ (ID No. ES-23 only)	15A NCAC 02D .0524 40 CFR Part 60, Subpart IIII
Hazardous air pollutants	Purchase engine certified to meet the applicable engine emission limits (ID Nos. ES-18, ES-19, and ES-23)	15A NCAC 02D .1111 40 CFR Part 63, Subpart ZZZZ
Toxic air pollutants	State-enforceable only See Section 2.2 A.2	15A NCAC 02Q .0711

1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from these emergency generators (**ID. Nos. ES-18, ES-19, and ES-23**) shall not exceed **2.3 pounds per million Btu heat input**. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard. [15A NCAC 02D .0516]

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ found in Section 3. If the results of this test are above the limit given in Section 2.1 D.1.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 burning No. 2 fuel oil in these emergency generators.

2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from these emergency generators (**ID. Nos. ES-18, ES-19, and ES-23**) 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. [15A NCAC 02D .0521 (d)]

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 D.2.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 of diesel fuel in these emergency generators.

3. 15A NCAC 02D .1111 MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY [40 CFR 63 SUBPART ZZZZ]

- a. The Permittee shall comply with all applicable provisions, including the requirements for emission limitations, testing, monitoring, record keeping, notification, and reporting, contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" as promulgated in 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)" including Subpart A "General Provisions." [15A NCAC 02D .1111]

- b. The Permittee shall meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting all applicable requirements of 40 CFR 60 Subpart IIII (See Section 2.1 D.4. below) for the diesel fuel-fired emergency generator (**ID. No. ES-23 only**).

No further requirements apply for this engine (**ID. No. ES-23 only**) under 40 CFR 63 Subpart ZZZZ and Subpart A.

If the requirements in condition b. are not met, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111.

[40 CFR §63.6590(c)]

- c. For the diesel fuel-fired emergency generators (**ID. Nos. ES-18 and ES-19**), the Permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.

[40 CFR §63.6590(h)]

4. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS [40 CFR 60 SUBPART III]

Applicability [15A NCAC 2Q .0508(f), 40 CFR 60.4200(a)(2)(i)]

- a. For this engine (**ID. No. ES-23**), the Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in Environmental Management Commission Standard 15A NCAC 2D .0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR Part 60 Subpart III, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines," including Subpart A "General Provisions."

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

- b. Pursuant to 40 CFR 60 .4218, The Permittee shall comply with the General Provisions of 40 CFR 60 Subpart A as presented in Table 8 of 40 CFR 60 Subpart III.

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

- c. The Permittee shall comply with the emission standards 40 CFR 60.4202 for all pollutants, for the same model year and maximum engine power for this engine (**ID. No. ES-23**). [40CFR 60.4205(b)]

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

- d. The Permittee shall use diesel fuel in the engine (**ID. No. ES-23**) that meets the requirements of 40 CFR 80.510(b) including:

- i. a maximum sulfur content of 15 ppm; and
- ii. a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.

[40 CFR 60.4207(b)]

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

- e. 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 conditions c. and d. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524.

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

- f. The engine (**ID. No. ES-23**) has the following monitoring requirements:

- i. The engine shall be equipped with a non-resettable hour meter prior to startup. [40CFR 60.4209(a)]
- ii. The engine, if equipped with a diesel particulate filter, must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached. [40CFR 60.4209(b)]

Compliance Requirements [15A NCAC 2Q .0508(b)]

- g. The Permittee shall:

- i. operate and maintain the engines and control devices according to the manufacturer's emission related-written instructions over the entire life of the engine;
- ii. change only those emission-related settings that are permitted by the manufacturer; and
- iii. meet the requirements of 40 CFR 89, 94 and/or 1068 as applicable.

[40CFR 60.4206 and 60.4211(a)]

- h. The Permittee shall comply with the emission standards in condition c. by purchasing an engine certified to the emission standards in condition c for the same model year and maximum engine power. The engine (**ID. No. ES-23**) shall be installed and configured according to the manufacturer's emission-related specifications. [40CFR 60.4211(c)]
- i. In order for the engine (**ID. No. ES-23**) to be considered an emergency stationary ICE under this condition, any operation other than emergency operation, maintenance and testing, and operation in non- emergency situations for 50 hours per year, as described below, is prohibited.
 - (1) There is no time limit on the use of emergency stationary ICE in emergency situations.
 - (2) The Permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraph (i)(2)(i) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (i)(3) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (i)(2).
 - (i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
 - (3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (i)(2) of this condition. Except as provided in paragraph (i)(3)(i) of this condition, the 50 hours per calendar year for non- emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
 - (i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
 - (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
 - (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
 - (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[40CFR 60.4211(f)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if the requirements in conditions f. through i. are not met.

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

- j. To assure compliance, the Permittee shall perform inspections and maintenance on the engine (**ID. No. ES-23**) as recommended by the manufacturer per 40 CFR 60.4206 and 40 CFR 60.4211(a). The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:

- i. the date and time of each recorded action;
- ii. the results of each inspection;
- iii. the results of any maintenance performed on the engine;
- iv. any variance from manufacturer’s recommendations, if any, and corrections made;
- v. the hours of operation of the engine in emergency and non-emergency service. [40 CFR 60.4214(b)]
- vi. if a PM filter is used, records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached [40 CFR60.4214(c)]; and
- vii. documentation from the manufacturer that the engine is certified to meet the emission standards in condition c.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if these records are not maintained.

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

- k. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.
- l. If the Permittee owns or operates an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purposes specified in condition(i)(3)(i), the Permittee shall submit an annual report according to the requirements at 40 CFR 60.4214(d). Thus report must be submitted to the Regional Supervisor and the EPA. [40 CFR60.4214(d)]

2.2- Multiple Emission Sources and Specific Limitations and Conditions

A. Facility-wide affected sources

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
N/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	15A NCAC 02D .0611
Toxic air pollutants	Less than Toxic pollutant emission rates (TPERs) State-enforceable only	15A NCAC 02Q .0711

State-enforceable only

1. 15A NCAC 02D .0611: SCRUBBER REQUIREMENTS

As required by 15A NCAC 02D .0611, odorous emissions from the affected sources shall be controlled as described in the permitted equipment list.

Recordkeeping [15A NCAC 02D .0611(b)]

- a. To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspections and maintenance (I&M) as recommended by the manufacturer. In addition, the Permittee shall perform an annual (for each 12 month period following the initial inspection) internal inspection of each scrubber system.

As a minimum, the I&M program and each annual inspection should include the following:

- i. Inspection of spray nozzles, packing material, chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation annually.

- ii. Two weeks following initial start-up and startup following major maintenance of each scrubber, the Permittee shall shut down the system and inspect for nozzle plugging and settling of the packing.

Recordkeeping [15A NCAC 02D .0611(b)]

- b. The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance activities shall be recorded in the logbook. The logbook (in written or electronic format) shall be kept on-site and made available to DAQ personnel upon request.

State-enforceable only

- 2. **TOXIC AIR POLLUTANT EMISSIONS LIMITATION REQUIREMENT** - 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 TPERs listed in 15A NCAC 02Q .0711.
 - a. 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.
 - b. **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."
 - c. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPERs as listed below:

Pollutant (CAS Number)	TPERs Limitation			
	Carcinogens (lb/yr)	Chronic Toxicants (lb/day)	Acute Systemic Toxicants (lb/hr)	Acute Irritants (lb/hr)
Acetaldehyde (75-07-0)	--	--	--	6.8
Acrolein (107-02-8)	--	--	--	0.02
Hexane, n- (110-54-3)	--	23	--	--
Toluene (108-88-3)	--	98	--	14.4

SECTION 3 - GENERAL CONDITIONS (version 4.0 12/17/15)

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 nine 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. During operation the monitoring recordkeeping and reporting requirements as prescribed by the permit shall be implemented within the monitoring period.

MM. Fugitive Dust Control Requirement [15A NCAC 02D .0540] - STATE ENFORCEABLE ONLY

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	Alternate Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
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