

**NORTH CAROLINA DIVISION OF
AIR QUALITY**

Air Permit Review

Permit Issue Date:

Region: Winston-Salem Regional Office
County: Guilford
NC Facility ID: 4100854
Inspector's Name: Robert Barker
Date of Last Inspection: 09/09/2015
Compliance Code: B / Violation - emissions

Facility Data			Permit Applicability (this application only)				
Applicant (Facility's Name): Marsh Furniture Company Facility Address: Marsh Furniture Company 1001 South Centennial Street High Point, NC 27261 SIC: 2434 / Wood Kitchen Cabinets NAICS: 33711 / Wood Kitchen Cabinet and Countertop Manufacturing Facility Classification: Before: Title V After: Title V Fee Classification: Before: Title V After: Title V			SIP: NSPS: NESHAP: PSD: PSD Avoidance: NC Toxics: 112(r): Other:				
Contact Data			Application Data				
Facility Contact	Authorized Contact	Technical Contact	Application Number: 4100854.15C Date Received: 11/13/2015 Application Type: Modification Application Schedule: TV-Significant Existing Permit Data Existing Permit Number: 03238/T22 Existing Permit Issue Date: 07/13/2015 Existing Permit Expiration Date: 03/31/2020				
Bruce Braswell Regulatory Compliance Manager (336) 819-4035 PO Box 870 High Point, NC 27261	Edwin Underwood COO (336) 884-7363 PO Box 870 High Point, NC 27261	Bruce Braswell Regulatory Compliance Manager (336) 819-4035 PO Box 870 High Point, NC 27261					
Total Actual emissions in TONS/YEAR:							
CY	SO2	NOX	VOC	CO	PM10	Total HAP	Largest HAP
2014	0.5100	9.84	258.03	13.15	5.85	38.11	20.23 [Methanol (methyl alcohol)]
2013	0.4000	7.97	220.56	10.60	4.92	32.32	17.75 [Methanol (methyl alcohol)]
2012	0.5100	9.94	199.97	13.31	6.38	19.35	6.70 [Methanol (methyl alcohol)]
2011	0.4400	8.60	195.77	11.51	5.48	33.21	13.21 [Methanol (methyl alcohol)]
2010	0.4500	8.70	199.04	11.64	5.59	38.53	16.06 [Methanol (methyl alcohol)]
Review Engineer: Joseph Voelker Review Engineer's Signature: _____ Date: _____			Comments / Recommendations: Issue 03238/T23 Permit Issue Date: Permit Expiration Date:				

I. Purpose of Application

Marsh Furniture Company (Marsh), High Point, NC, Guilford County, North Carolina, is a wooden kitchen and bathroom cabinet manufacturing facility. Marsh has submitted an application to change the Clean Air Act 112(j) [112(j)] emission limitations for total suspended metals (TSM) and carbon monoxide (CO) included in the existing air permit to the values included in the Clean Air Act 112(d) [112(d)] standard, to which the permittee will be subject on May 20, 2019. The application will be processed as a significant modification pursuant to 15A NCAC 02Q .0516.

II. Chronology

Date	Description
11/13/2015	An application was received and assigned app no. 4100854.15C.
03/24/2016	Application transferred to Joe Voelker
MM/DD/YYYY	Public Notice published on NCDENR DAQ website; concurrent public/EPA comment period begins
MM/DD/YYYY	Public comment period ends. No comments received.
MM/DD/YYYY	EPA comment period ends. No comments received.

III. Modification Description / Regulatory Review

Marsh is requesting a modification of the current CAA 112(j) numerical emission limits for the wood fired boiler (B1) contained in Permit No. 03238T22. Specifically, Marsh is requesting the substitution of the 112(j) numerical emission limits for total suspended metals (TSM) and carbon monoxide (CO) with the emission limits contained in the 112(d) standard 40 CFR63, Subpart DDDDD “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.”

The relevant 112(j) limits are as follows (Section 2.1.D.4.a. of the current permit no. T23):

Total Selected Metals (TSM): 0.0002 lbs/mmBtu. TSM is defined as the following: arsenic, beryllium, cadmium, chromium, lead, nickel, and selenium. [Manganese shall not be included in the determination of TSM.]

Carbon Monoxide (CO): 269 ppmvd, corrected to 7% oxygen

The TSM and CO limits for this particular subcategory of boiler found in the Boiler MACT (i.e., a dutch oven designed to burn biomass meeting the definition found at 40 CFR 63.7499(j) and (p)) are as follows:

Total Selected Metals (TSM): 0.002 lbs/mmBtu. TSM is defined as the sum of the following metallic hazardous air pollutants: arsenic, beryllium, cadmium, chromium, lead, manganese, nickel and selenium.

Carbon Monoxide (CO): 770 ppm by volume on a dry basis corrected to 3 percent oxygen, 3-run average

The 112(j) requirements are implemented in NCs State Rules as 15A NCAC 02D .1109 112(J) CASE-BY-CASE MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY.

The 112(d) requirements are implemented in NCs State Rules as 15A NCAC 02D .1111 MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY.

Note that although the definition of TSM now includes manganese and CO is corrected to a different oxygen concentration, the boiler MACT limits are less stringent. However, note the following language at 40 CFR 63.56:

§63.56 Requirements for case-by-case determination of equivalent emission limitations after promulgation of subsequent MACT standard

(a) [not applicable to the discussion at hand]

(b) *If the Administrator promulgates a relevant emission standard under section 112(d) or (h) of the Act that is applicable to a source after the date a permit is issued pursuant to §63.52 or §63.54, the permitting authority must incorporate requirements of that standard in the title V permit upon its next renewal. The permitting authority must establish a compliance date in the revised permit that assures that the owner or operator must comply with the promulgated standard within a reasonable time, but not longer than 8 years after such standard is promulgated or 8 years after the date by which the owner or operator was first required to comply with the emission limitation established by the permit, whichever is earlier. However, in no event shall the period for compliance for existing sources be shorter than that provided for existing sources in the promulgated standard.*

(c) *Notwithstanding the requirements of paragraph (a) or (b) of this section, the requirements of paragraphs (c)(1) and (2) of this section shall apply.*

(1) If the Administrator promulgates an emission standard under section 112(d) or (h) that is applicable to an affected source after the date a permit application under this paragraph is approved under §63.52 or §63.54, the permitting authority is not required to change the emission limitation in the permit to reflect the promulgated standard if the permitting authority determines that the level of control required by the emission limitation in the permit is substantially as effective as that required by the promulgated standard pursuant to §63.1(e).

(2) If the Administrator promulgates an emission standard under section 112(d) or (h) of the Act that is applicable to an affected source after the date a permit application is approved under §63.52 or §63.54, and the level of control required by the promulgated standard is less stringent than the level of control required by any emission limitation in the prior MACT determination, the permitting authority is not required to incorporate any less stringent emission limitation of the promulgated standard in the title V permit and may in its discretion consider any more stringent provisions of the MACT determination to be applicable legal requirements when issuing or revising such a title V permit.

Paragraph (b) addresses the permitting authority's requirement to include the promulgated 112(d) requirements into the permit and establish a reasonable compliance date. The current TV permit does contain the 112(d) requirements and establishes a compliance date of May 20, 2019. See Section 2.1.D.5 of the existing and/or draft permit.

Paragraph (c)(1) allows the 112(j) requirements to remain in effect indefinitely in place of the 112(d) requirements if the permitting authority determines that the level of control required by the 112j is substantially as effective as that required by the 112(d) standard. To date this has not been the policy of the DAQ. The 112(j) requirements will "sunset" and the 112(d) requirements as promulgated will become effective on May 20, 2019.

Paragraph (c)(2) allows the permitting authority to maintain those emission standards established under 112(j) that are more stringent than the 112(d) standards even after the compliance date for the 112(d) emission standards. To date this has not been the policy of the DAQ. The 112(j) requirements will "sunset" and the 112(d) requirements as promulgated will become effective on May 20, 2019.

Hence, the DAQ has no intention on maintaining the emission limitations established under 112(j) after the compliance date established for the 112(d) requirements under 40 CFR 63.56(b), regardless of stringency compared to the 112(d) emission limitations. Taken as a whole, there is no regulatory reason why the emission limitations (or a subset of them) established under 112(j) cannot be relaxed to the 112(d) emission limitations prior to the compliance date for the 112(d) standard.

The permit will be revised accordingly to incorporate the 112(d) emission limitations for TSM and CO into the 112(j) condition. No other changes are necessary.

Other Regulatory review

The requested change has no regulatory implications with any regulations other than those discussed above.

IV. NSPS, NESHAPS, PSD, Attainment Status, 112(r), and CAM

The requested change has no regulatory implications with any regulations other than those discussed above.

V. Compliance History

As excerpted from the compliance inspection report of September 9, 2015 by Robert Barker from the Mooresville Regional Office.

Based on review of records and visual observations, the facility appeared to be operating in compliance with Air Quality standards and regulations at the time of this inspection.

VI. Changes Implemented in Revised Permit

Existing Condition No.	New Condition No.	Changes
Cover Letter	Same	<ul style="list-style-type: none"> Used current shell language, updated permit numbers, dates, etc. Removed “minor modification” paragraph associated with previous permit modification
Permit, page 1	Same	<ul style="list-style-type: none"> Revised dates, permit numbers, etc using current shell standards
Global	Same	<ul style="list-style-type: none"> Updated regulation references from “2D” and “2Q” to “02D” and “02Q” to be consistent with regulation nomenclature.
2.1.A.4.a	Same	<ul style="list-style-type: none"> The emission limits for TSM and CO were revised to the 112(d) emission limits
Section 3 General Conditions	Same	<ul style="list-style-type: none"> Section was revised from v.3.6 to current shell version 4.0 (12/17/2015). Only minor changes were made. Changes include: <ul style="list-style-type: none"> Updating regulation references from “2D” and “2Q” to “02D” and “02Q” to be consistent with regulation nomenclature. References to DENR were revised to DEQ

VII. Public Notice/EPA and Affected State(s) Review

The changes addressed in the permit application will be handled a minor modification pursuant to 15A NCAC 2Q .0515. A notice of the DRAFT Title V Permit shall be made pursuant to 15A NCAC 2Q .0521. The notice will provide for a 30-day comment period, with an opportunity for a public hearing. Copies of the public notice shall be sent to persons on the Title V mailing list and EPA. Pursuant to 15A NCAC 2Q .0522, a copy of each permit application, each proposed permit and each final permit pursuant shall be provided to EPA. Also pursuant to 2Q .0522, a notice of the DRAFT Title V Permit shall be provided to each affected State at or before the time notice provided to the public under 2Q .0521 above.

VIII. Recommendations

TBD