



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER

*Governor*

ELIZABETH S. BISER

*Secretary*

MICHAEL ABRACZINSKAS

*Director*

XXXX, 2022

Mr. James Stevens  
Plant Manager  
Cardinal FG Company  
342 Mooresville Boulevard  
Mooresville, NC 28115

SUBJECT: Air Quality Permit No. 08618T12  
Facility ID 4900261  
Cardinal FG Company  
Mooresville  
Iredell County  
Fee Class: Title V  
PSD Status: Minor

Dear Mr. Stevens:

In accordance with your completed Air Quality Permit Applications for a significant modification and for a Title V permit renewal of your Title V permit, we are forwarding herewith Air Quality Permit No. 08618T12 authorizing the construction and operation, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been identified as such in the permit. Please note the requirements for the annual compliance certification are contained in General Condition P in Section 4. 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 file a petition for contested case hearing in the North Carolina Office of Administrative Hearings. Information regarding the right, procedure, and time limit for permittees and other persons aggrieved to file such a petition is contained in the attached "Notice Regarding the Right to Contest A Division of Air Quality Permit Decision."

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS



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

Mr. Stevens  
XXXX, 2022  
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143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Iredell County has triggered increment tracking under PSD for PM<sub>10</sub>, SO<sub>2</sub> and NO<sub>x</sub>. This modification will result in an increase in 1.98 pounds per hour of PM<sub>10</sub> and 3.5 pounds per hour of NO<sub>x</sub>. This modification will result in a decrease in 0.45 pounds per hour of SO<sub>2</sub>.

This Air Quality Permit shall be effective from XXXXX, 2022 until XXXX, 2027, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Betty Gatano, P.E., at (919) 707-8736 or Betty.Gatano@ncdenr.gov.

Sincerely yours,

Mark J. Cuilla, EIT, CPM Chief, Permitting Section  
Division of Air Quality, NCDEQ

Enclosure

c: Michael Sparks, EPA Region 4 (permit and review)  
Connie Horne (Cover Letter only)  
Mooresville Regional Office  
Central Files

**NOTICE REGARDING THE RIGHT TO CONTEST A DIVISION OF AIR QUALITY PERMIT  
DECISION**

**Right of the Permit Applicant or Permittee to File a Contested Case:** Pursuant to NCGS 143-215.108(e), a permit applicant or permittee who is dissatisfied with the Division of Air Quality's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 30 days after the Division notifies the applicant or permittee of its decision. If the applicant or permittee does not file a petition within the required time, the Division's decision on the application is final and is not subject to review. The filing of a petition will stay the Division's decision until resolution of the contested case.

**Right of Other Persons Aggrieved to File a Contested Case:** Pursuant to NCGS 143-215.108(e1), a person other than an applicant or permittee who is a person aggrieved by the Division's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 within 30 days after the Division provides notice of its decision on a permit application, as provided in NCGS 150B-23(f), or by posting the decision on a publicly available Web site. The filing of a petition under this subsection does not stay the Division's decision except as ordered by the administrative law judge under NCGS 150B-33(b).

**General Filing Instructions:** A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at <https://www.oah.nc.gov/hearings-division/filing/hearing-forms>. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

**Service Instructions:** A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

William F. Lane, General Counsel  
North Carolina Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the permittee or permit applicant, the party **must also** serve the permittee in accordance with NCGS 150B-23(a).

\* \* \*

Additional information is available at <https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case>. Please contact the OAH at 984-236-1850 or [oah.postmaster@oah.nc.gov](mailto:oah.postmaster@oah.nc.gov) with all questions regarding the filing fee and/or the details of the filing process.

## Summary of Changes to Permit

The following changes were made to Air Permit No. 08618T11:\*

Page No.	Section	Description of Changes
Cover letter and throughout permit	--	Updated all dates and permit revision numbers.
3	--	“List of Acronyms” has been moved to Page 3 of the permit.
4	1.0 Equipment Table	<ul style="list-style-type: none"> <li>• Removed page numbers.</li> <li>• Changed the production rate in the emission source descriptions for the glass melting furnace (ID No. P01) and the cullet return (ID No. P02) to 750 tons per 24-hour period.</li> <li>• Removed footnote stating glass melting furnace (ID No. P01) is listed as minor modification.</li> </ul>
5	2.1 A Equipment List	Reformatted equipment list in accordance with current permitting shell.
5	2.1 A Regulations Table	<ul style="list-style-type: none"> <li>• Added reference to ammonia being applicable to 15A NCAC 02D .1100</li> <li>• Removed reference to ammonia being applicable to 15A NCAC 02Q .0711.</li> </ul>
6	2.1 A.1.a	Reformatted equations for 15A NCAC 02D .0515 for consistency with permitting shell.
6	2.1 A.1.c	Reformatted permit condition and clarified noncompliance statement.
7	2.1 A.3.c	Required the Permittee to establish “normal” visible emissions after permit issuance and updated permit condition for 15A NCAC 02D .0521 with most current permitting language.
7	2.1 A.3.e	Updated reporting condition with most current permitting language.
8	2.1 A.4.b	Referenced the filterable PM emission limit of 0.225 g/Kg, which is provided in NSPS Subpart CC. This value is equivalent to 0.45 pounds per ton.
8 – 9	2.1 A.5	Updated emission limits for NC Toxic Air Pollutants under 15A NCAC 02D .1100.
--	2.1 A.6 (old numbering)	Removed permit condition for 15A NCAC 02Q .0711 for ammonia emissions from the glass furnace (ID No. P01). With the increased production rate, ammonia emissions exceeded the TPER, and air dispersion modeling was required for ammonia emissions from the furnace.
9 – 10	2.1 A.6	<ul style="list-style-type: none"> <li>• Changed the indicator range from 10 ppmv to 15 ppmv of ammonia.</li> <li>• Changed the QIP trigger to 6 exceedance per semiannual period rather than 3 consecutive days.</li> <li>• Updated CAM condition to most current format.</li> </ul>
12	2.1 B.1.a	Reformatted equations for 15A NCAC 02D .0515 for consistency with permitting shell.
12	2.1 B.2.c	Required the Permittee to establish “normal” visible emissions after permit issuance, and updated permit condition for 15A NCAC 02D .0521 with most current permitting language.
12	2.1 B.2.e	Updated reporting condition with most current permitting language.
18	2.2 A.1.c	Added testing condition to re-establish reagent injection rate and confirm SO <sub>2</sub> and CO emission factors.
18	2.2 A.1.e	Revised permit condition for updating emission factors and injection rate with most current permitting language.
18	2.2 A.1.f	Updated production rate of glass furnace to 750 tons per day.
19	2.2 A.1.g	Added monitoring downtime requirement for NO <sub>x</sub> CEMs.
19	2.2 A.1.h	Updated PSD avoidance equation for NO <sub>x</sub> emissions by adding calculations for actual emissions from generators.
19	2.2 A.1.i	Added a requirement to calculate emissions of NO <sub>x</sub> monthly and record the results.

<b>Page No.</b>	<b>Section</b>	<b>Description of Changes</b>
20	2.2 A.1.j	Updated PSD avoidance equation for SO <sub>2</sub> emissions by revising the emission factor for SO <sub>2</sub> and adding calculations for actual emissions from generators.
20	2.2 A.1.k	Added a requirement to calculate emissions of SO <sub>2</sub> monthly and record the results.
20 – 21	2.2 A.1.n	Updated PSD avoidance equation for CO emissions by revising the emission factor for CO and adding calculations for actual emissions from generators.
21	2.2 A.1.o	Added a requirement to calculate emissions of CO monthly and record the results.
21	2.2 A.1.p, q, and r	Added monitoring and recording requirements for the generators for PSD avoidance.
21	2.2 A.1.s	Updated reporting condition with most current permitting language.
22	Section 3	Moved “List of Insignificant Activities” to Section 4 in accordance with the updated formatting for TV permits.
23 – 31	Section 4	Updated General Permit Conditions with most current version (version 6.0, 01/07/2022).

\* This list is not intended to be a detailed record of every change made to the permit but a summary of those changes.



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

## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
08618T12	08618T11	XXXX, 2022	XXXX, 2027

NOTE: Per General Condition K, a permit application for the renewal of this Title V permit shall be submitted no later than *[enter date six months prior to expiration date]*.

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

**Permittee:** Cardinal FG Company  
**Facility ID:** 4900261  
**Primary SIC Code:** 3211  
**NAICS Code:** 327211

**Facility Site Location:** 342 Mooresville Boulevard  
**City, County, State, Zip:** Mooresville, Iredell County, North Carolina, 28115  
**Mailing Address:** 342 Mooresville Boulevard  
**City, State, Zip:** Mooresville, North Carolina, 28115

**Application Number:** 4900261.21B, 4900261.21A  
**Complete Application Date:** September 30, 2021, May 27, 2021,

**Division of Air Quality,  
Regional Office Address:** Mooresville Regional Office  
610 East Center, Suite 301  
Mooresville, NC 28115

Permit issued this the XX<sup>th</sup> day of XXXX 2022

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Mark J. Cuilla, EIT, CPM, Chief, Air Permitting Section  
By Authority of the Environmental Management Commission

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SECTION 4: GENERAL PERMIT CONDITIONS

List of Acronyms

<b>AOS</b>	Alternative Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>BAE</b>	Baseline Actual Emissions
<b>Btu</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CAM</b>	Compliance Assurance Monitoring
<b>CEMS</b>	Continuous Emission Monitoring System
<b>CEDRI</b>	Compliance and Emissions Data Reporting Interface
<b>CFR</b>	Code of Federal Regulations
<b>CO</b>	Carbon Monoxide
<b>COMS</b>	Continuous Opacity Monitoring System
<b>CSAPR</b>	Cross-State Air Pollution Rule
<b>DAQ</b>	Division of Air Quality
<b>DEQ</b>	Department of Environmental Quality
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>GHGs</b>	Greenhouse Gases
<b>HAP</b>	Hazardous Air Pollutant
<b>LAER</b>	Lowest Achievable Emission Rate
<b>MACT</b>	Maximum Achievable Control Technology
<b>NAA</b>	Non-Attainment Area
<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NAICS</b>	North American Industry Classification System
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>NSR</b>	New Source Review
<b>OAH</b>	Office of Administrative Hearings
<b>PAE</b>	Projected Actual Emissions
<b>PAL</b>	Plantwide Applicability Limitation
<b>PM</b>	Particulate Matter
<b>PM<sub>2.5</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 2.5 Micrometers or Less
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>PTE</b>	Potential to Emit
<b>RACT</b>	Reasonably Available Control Technology
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>TAP</b>	Toxic Air Pollutant
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound

## 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:

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>	<b>Control Device ID No.</b>	<b>Control Device Description</b>
P01 NSPS CC	One (1) natural gas-fired, side port, regenerative, glass melting furnace (220 million Btu per hour heat input and 750 tons per 24 hours glass pull rate capacity)	C01A  C01B  C01C	Dry Sorbent Injection for SO <sub>2</sub> control  Ammonia Injection for NO <sub>x</sub> control  Catalytic Ceramic Filters for PM control
P02	Cullet (broken glass) return to process from glass breakers, conveyed on belt conveyors and discharged to a storage silo or ground storage pad (750 tons per 24 hours process weight rate capacity)	C02	One (1) bagfilter (6,120 square feet of filter area)
P03	Bottom of three elevators (150 tons per hour each) for conveying raw materials, batch materials, and cullet (two elevators/300 tons per hour process weight rate capacity)	C03	One (1) bagfilter (325 square feet of filter area)
P04	Top of three elevators (150 tons per hour each) for conveying raw materials, batch materials, and cullet (two elevators/300 tons per hour process weight rate capacity)	C04	One (1) bagfilter (150 square feet of filter area)
P05	Batch mixers - the process of mixing raw materials withdrawn from storage bins, conveyed into hopper scales for weighing, and conveyed to storage or a charging bin behind the furnace (150 tons per hour process weight rate capacity)	C05	One (1) bagfilter (150 square feet of filter area)
P06 GACT ZZZZ	One (1) diesel-fired 1500 kw emergency generator	NA	NA
P07	Annealing lehr - the process consists of a roller hearth oven (electric) designed to cool the glass ribbon after it exits the float bath. The glass ribbon is transported by driven rollers.	NA	NA
P08	Glass cutting - a blade, with lubricant, cuts the continuous ribbon of glass into separate pieces	NA	NA

## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

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

#### A. One natural gas fired, side port regenerative, glass melting furnace (ID No. P01) controlled by dry sorbent injection (ID No. C01A) in series with ammonia injection (ID No. C01B) in series with catalytic ceramic filters (ID No. C01C)

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

Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ for process rates less than or equal to 30 tons per hour, or $E = 55.0 \times P^{0.11} - 40$ for process rates greater than 30 tons per hour  where E = allowable emissions rate in pounds per hour P = process weight rate in tons per hour	15A NCAC 02D .0515
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Particulate matter	0.45 pounds of particulate (filterable PM) per ton of glass produced	15A NCAC 02D .0524 [40 CFR Part 60, Subpart CC]
Sulfur dioxide Carbon monoxide Nitrogen oxides	Facility-wide annual emissions to less than 250 tpy each. See Section 2.2 A.1	15A NCAC 02Q .0317 [PSD Avoidance]
Particulate matter	Compliance assurance monitoring; See Section 2.1 A.7	15A NCAC 02D .0614 [40 CFR 64, CAM]
Ammonia, Arsenic, Cadmium, Nickel, Sulfuric acid, Fluoride, Soluble chromate compounds	<b>State-Enforceable Only</b> Emission rate limitations; See Section 2.1 A.5	15A NCAC 02D .1100

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

- a. Emissions of particulate matter from this source (ID No. P01) shall not exceed an allowable emission rate as calculated by the following equations:

$$E = 4.10 \times P^{0.67} \quad (\text{for process rates less than or equal to 30 tons per hour}), \text{ or}$$

$$E = 55.0 \times P^{0.11} - 40 \quad (\text{for process rates greater than 30 tons per hour})$$

Where E = allowable emission rate in pounds per hour  
P = process weight in tons per hour

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

**Testing** [15A NCAC 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 .0515.
- c. Under the provisions of NCGS 143-215.108, the Permittee shall demonstrate compliance with the emission limit above on an annual basis by testing the glass furnace (**ID No. P01**) in accordance with a testing protocol approved by the DAQ and in accordance with General Condition JJ. If the results of this test are less than 80 percent of the emission limit in Section 2.1 A.1.a above, the Permittee shall be required to stack test once every five years following the last stack. If the source test is not conducted or if the results of the tests are above the limit given in Section 2.1 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

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

- d. Particulate matter emissions from the glass furnace (**ID No. P01**) shall be controlled by the ceramic filters (**ID No. C01C**). To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement shall include the following:
  - i. a monthly visual inspection of the system ductwork and material collection unit for leaks; and
  - ii. an annual (for each 12-month period following the initial inspection) internal inspection of the filter's structural integrity.The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if the ductwork and filters are not inspected and maintained.
- e. 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 filters; 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)]

- f. The Permittee shall submit the results of any maintenance performed on the filters within 30 days of a written request by the DAQ.
- g. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.1 A.1.d and e above, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

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

- a. Emissions of sulfur dioxide from this source (**ID No. P01**) shall not exceed 2.3 pounds per million Btu heat input. SO<sub>2</sub> formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

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

- c. No monitoring/recordkeeping/reporting is required for the SO<sub>2</sub> emissions from this source.

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

- a. Visible emissions from this source (**ID No. P01**) 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.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

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

- c. To ensure compliance, once a day the Permittee shall observe the emission points of this source (**ID No. P01**) for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three (3) days of absent observations per semi-annual period. The Permittee shall establish "normal" for the source in the first 30 days following the issuance of Air Permit No. 08618T12. If visible emissions from this source are observed to be above normal, the Permittee shall either:
  - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 A.3.a above.The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if the required daily observations are not conducted as required; if the above-normal emissions are not corrected within the monitoring period or the percent opacity demonstration cannot be made; or if "normal" is not established for the emission source in the first 30 days following the effective date of this permit.

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

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

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

- e. The Permittee shall submit a summary report of the monitoring and recordkeeping activities given in Section 2.1 A.3.c and d above, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

### 4. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS (40 CFR PART 60 SUBPART CC- STANDARDS OF PERFORMANCE FOR GLASS MANUFACTURING PLANTS)

- a. The Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 02D .0524, "New Source Performance Standards (NSPS)," as promulgated in 40 CFR Part 60 Subpart CC, "Standards of Performance for Glass Manufacturing Plants," including Subpart A, "General Provisions."

**Emission Limitations** [15A NCAC 02D .0524, 40 CFR 60.292(a)(1)]

- b. The glass melting furnace shall not emit filterable particulate matter at a rate greater than 0.225 g/Kg of glass produced (0.45 pound per ton of glass produced).

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

- c. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.4.b, the Permittee shall be deemed in noncompliance with 15A NCAC 02D. 0524.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f), 40 CFR 60.7]

- d. The Permittee shall meet the monitoring and recordkeeping requirements of Section 2.1 A.1.d and e. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if these requirements are not met.
- e. Pursuant to 40 CFR 60.7(b), the Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if these requirements are not met.
- f. Pursuant to 40 CFR 60.7(f), the Permittee shall maintain records of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; recorded in a permanent form suitable for inspection. The records shall be retained for at least two years following the date of such measurements, maintenance, reports, and records. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if these requirements are not met.

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

- h. The Permittee shall meet the reporting requirements of Section 2.1 A.1.f and g.

**State Enforceable Only**

**5. 15A NCAC 02D .1100: CONTROL OF TOXIC AIR POLLUTANTS**

- a. The Permittee has submitted a toxic air pollutant dispersion modeling analysis dated May 19, 2021 for the facility’s toxic air pollutant emissions as listed in the below table. The modeling analysis was reviewed and approved by the AQAB on July 14, 2021. Placement of the emission sources, configuration of the emission points, and operation of the sources shall be in accordance with the submitted dispersion modeling analysis and should reflect any changes from the original analysis submittal as outlined in the AQAB review memo.

Emission Sources	Toxic Air Pollutants	Emission Limits
Glass Melt Furnace (ID No. P01)	Ammonia	87 lb/hr
	Arsenic	227 /b/yr
	Benzene	217 lb/yr
	Cadmium	23 lb/yr
	Soluble Chromate Compounds	0.095 lb/day
	Fluoride	0.28 lb/hr
	Nickel	6.6 lb/day
	Sulfuric Acid	0.32 lb/day
		4.6 lb/hr
		109 lb/day

**Testing**

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ.

**Monitoring/Recordkeeping/Reporting**

- c. No monitoring, recordkeeping or reporting is required.

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

- a. Per 40 CFR 64 and 15A NCAC 02D .0614, the Permittee shall comply with the following compliance assurance monitoring (CAM) requirements.

**Background**

- b. Emission Units:  
Natural gas-fired, side port, regenerative, glass melting furnace (**ID No. P01**)
- c. Applicable Regulation, Emission Limit, and Monitoring Requirements
  - i. Regulation:
    - (A) 15A NCAC 02D .0515
    - (B) 15A NCAC 02D .0524 and 40 CFR Part 60, Subpart CC
  - ii. Emission limits:
    - (A) Emissions of particulate matter shall not exceed an allowable emission rate as calculated by the following equations:  

$$E = 4.10 \times P^{0.67} \quad (\text{for process rates less than or equal to 30 tons per hour}), \text{ or}$$

$$E = 55.0 \times P^{0.11} - 40 \quad (\text{for process rates greater than 30 tons per hour})$$

Where E = allowable emission rate in pounds per hour  
P = process weight in tons per hour

Liquid and gaseous fuels and combustion air are not considered as part of the process weight.
    - (B) Filterable particulate matter shall not be emitted at a rate greater than 0.225 g/Kg of glass produced (0.45 pound per ton of glass produced).
  - iii. Control Technology:  
Catalytic ceramic filters (**ID No. C01C**)

**Monitoring Approach**

- d. The key elements of the monitoring approach for particulate matter, including parameters to be monitored, parameter ranges and performance criteria are presented in the following table.

Monitoring Elements	Indicator No. 1
Measurement Approach	Ammonia slip measurements made on a continuous basis using an ammonia analyzer.
Indicator Range	An excursion is defined as a one-hour block average of ammonia concentration greater than 15 ppmv. Excursions trigger an inspection, corrective action, and a reporting requirement.
QIP threshold	The QIP threshold is six excursions in a six-month reporting period.

Monitoring Elements	Indicator No. 1
III Performance Criteria	
Data Representativeness	The ammonia analyzer is installed as per manufacturer's recommendation to measure and record the ammonia slip through the catalytic ceramic filter
Verification of Operational Status	Not applicable.
QA/QC Practices and Criteria	Ammonia analyzer calibration and maintenance shall be performed according to manufacturer recommendations.
Monitoring frequency	Measurements and recordings are made by a computerized data acquisition and handling system on a continuous basis and complied into the appropriate averaging periods.
Data Averaging	One-hour block average.

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

- e. The permittee shall comply with the recordkeeping requirements of 40 CFR 64.9 (b) and submit a summary report of the 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. The reports shall comply with the reporting requirements of 40 CFR 64.9(a) and include, at a minimum, the following information, as applicable:
  - i. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
  - ii. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
  - iii. A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the Permittee shall include, in the next summary report, documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances.

- B. Cullet Return (ID No. P02) controlled by a bagfilter (ID No. CD02)**
- Bottom of Three Elevators (ID No. P03) controlled by a bagfilter (ID No. CD03)**
- Top of Three Elevators (ID No. P04) controlled by a bagfilter (ID No. CD04)**
- Batch Mixers (ID No. P05) controlled by bagfilter (ID No. CD05)**

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

Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ for process rates less than or equal to 30 tons per hour  where E = allowable emissions rate in pounds per hour P = process weight rate in tons per hour	15A NCAC 02D .0515
Visible emissions	20 percent opacity	15A NCAC 02D .0521

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

- a. Emissions of particulate matter from these sources (**ID Nos. P02, P03, P04, and P05**) shall not exceed an allowable emission rate as calculated by the following equation:

$$E = 4.10 \times P^{0.67} \quad (\text{for process rates less than or equal to 30 tons per hour})$$

where:

E = allowable emission rate in pounds per hour calculated to three significant figures

P = process weight rate 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 the test performed exceed the limits given in Section 2.1 B.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515.

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

- c. Particulate matter emissions from these sources (**ID Nos. P02, P03, P04, and P05**) shall be controlled by the bagfilters (**ID Nos. CD02, CD03, CD04, and CD05, respectively**). To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer’s inspection and maintenance recommendations, or if there are no manufacturer’s inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement shall include the following:
  - i. a monthly visual inspection of the system ductwork and material collection unit for leaks; and
  - ii. an annual (for each 12-month period following the initial inspection) internal inspection of the bagfilter's structural integrity.

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

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

- d. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) 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 the monitoring and recordkeeping activities given in Section 2.1 B.1.c and d above, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

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

- a. Visible emissions from these sources (**ID Nos. P02, P03, P04, and P05**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

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

- c. To ensure compliance, once a week the Permittee shall observe the emission points of these sources (**ID Nos. P02, P03, P04, and P05**) for any visible emissions above normal. The weekly observation must be made for each week of the calendar year period to ensure compliance with this requirement. The Permittee shall establish “normal” for the source (**ID No. P02**) in the first 30 days following the issuance of Air Permit No. 08618T12. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
  - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.2.a above.The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if the required daily observations are not conducted as required; if the above-normal emissions are not corrected within the monitoring period or the percent opacity demonstration cannot be made; or if “normal” is not established for the emission source (**ID No. P02**) in the first 30 days following the effective date of this permit.

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

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

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

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

### C. Diesel-Fired Emergency Generator (ID No. P06)

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

Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 % opacity	15A NCAC 02D .0521
Hazardous air pollutants	Work Practices	15A NCAC 02D .1111 40 CFR Part 63, Subpart ZZZZ
Sulfur dioxide Carbon monoxide Nitrogen oxides	Facility-wide annual emissions to less than 250 tpy each. See Section 2.2 A.1	15A NCAC 02Q .0317 [PSD Avoidance]

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

- a. Emissions of sulfur dioxide from this source (**ID No. P06**) shall not exceed 2.3 pounds per million Btu heat input. SO<sub>2</sub> formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.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 SO<sub>2</sub> emissions from the firing of diesel fuel in this source.

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

- a. Visible emissions from this source (**ID No. P06**) 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 the firing of diesel fuel in this source.

#### 3. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY

**Applicability** [40 CFR 63.6585, 63.6590(a)(1)(iii)]

- a. For the diesel-fired emergency generator (**ID No. P06**) (existing stationary RICE located at an area source of HAP emissions), the Permittee shall comply with all applicable provisions, including the monitoring, recordkeeping, and reporting contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR 63 "Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines" and Subpart A "General Provisions."

**Definitions and Nomenclature**

- b. For the purposes of this permit condition, the definitions and nomenclature contained in 40 CFR 63.6675 shall apply.

**Applicability Date** [40 CFR 63.6595(a)(1)]

- c. The Permittee shall comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013.

**Notifications** [40 CFR 63.6645(a)(5)]

- d. The Permittee has no notification requirements.

**General Provisions** [40 CFR 63.6665]

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

**Operating and Maintenance Requirements** [15A NCAC 02Q .0508(b)]

- f. During periods of startup of the internal combustion (IC) engine, the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63.6603(a), Table 2d and 63.6625(h)]
- g. Except during periods of startup of the IC engine, the Permittee shall:
  - i. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and
  - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary[40 CFR 63.6603(a), Table 2d]
- h. The Permittee shall have the option to utilize the oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in Section 2.1 C.3.g. [40 CFR 63.6603(a), Table 2 ,63.6625(i)]
- i. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Section 2.1 C.3.g, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable. [40 CFR 63.6603(a), Table 2d]
- j. The permittee shall be in compliance with the emission limitations, operating limitations and other requirements that apply at all times. [40 CFR 63.6605(a)]
- k. The Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]
- l. The Permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e) and 63.6640(a), Table 6]
- m. In order for the engine to be considered an emergency stationary RICE as defined in Section 2.1 C.3.b, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in Section 2.1 C.3.m.i through iii below, is prohibited.
  - i. There is no time limit on the use of emergency stationary RICE in emergency situations.
  - ii. The Permittee may emergency stationary RICE for any combination of the purposes specified in Section 2.1 C.3.m.ii.(A) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by Section 2.1 C.3.m.iii below counts as part of the 100 hours per calendar year allowed by this Section 2.1 C.3.m.ii.
    - (A) Emergency stationary RICE 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 RICE beyond 100 hours per calendar year.

- iii. Emergency stationary RICE located at area sources of HAP 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 Section 2.1 C.3.m.ii. above. Except as provided in Section 2.1 C.3.m.iii.(A) below, the 50 hours per 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.
  - (A) 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:
    - (1) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
    - (2) 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.
    - (3) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
    - (4) The power is provided only to the facility itself or to support the local transmission and distribution system.
    - (5) 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.

[40 CFR 63.6640(f)(1), (2) and (4)]

- n. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in Section 2.1 C.3.e through m are not met.

**Fuel Requirements** [15A NCAC 02Q .0508(b), 40 CFR 63.6604(b)]

- o. Beginning January 1, 2015, if the Permittee owns or operates an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in Section 2.1 C.3.m.iii.(A) above, the Permittee must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if these requirements are not met.

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

- p. The Permittee shall install a non-resettable hour meter on the IC engine if one is not already installed. [40 CFR 63.6625(f)] The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if this requirement is not met.

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

- q. The Permittee shall keep the following records:
  - i. A copy of each notification and report that the Permittee submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that the Permittee submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv)[40 CFR 63.6655(a)(1)];
  - ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment [40 CFR 63.6655(a)(2)];
  - iii. Records of all required maintenance performed on the air pollution control and monitoring equipment [40 CFR 63.6655(a)(4)];
  - iv. Records of actions taken during periods of malfunction to minimize emissions in accordance with Section 2.1 C.3.k, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation [40 CFR 63.6655(a)(5)];
  - v. Records of the maintenance conducted on the RICE pursuant to Section 2.1 C.3.l [40 CFR 63.6655(d) and (e)];
  - vi. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee shall document how many hours are spent for emergency operation, including what classified the

- operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 63.6655(f)]
- vii. If the engine is used for the purposes specified in Section 2.1 C.3.m.iii.(A) above, the owner or operator must keep records of the notification of the situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR 63.6655(f)]
  - viii. Each record in a form suitable and readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(a), (b), (c)]

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

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

- r. The following reporting requirements apply:
  - i. 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 must be clearly identified. [40 CFR 63.6640(b), (e) and 63.6650(f)]
  - ii. The summary report shall also include any reporting required under Section 2.1 C.3.i, as necessary. [40 CFR 63.6603(a), Table 2d]
  - iii. If the Permittee owns or operates an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in Section 2.1 C.3.m.iii.(A) above, the Permittee shall submit an annual report according to the requirements at 40 CFR 63.6650(h). This report must be submitted to the Regional Supervisor and the EPA. [40 CFR 63.6650(h)]

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

**D. Annealing Lehr (ID No. P07)**

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

<b>Pollutant</b>	<b>Limits/Standards</b>	<b>Applicable Regulation</b>
Sulfur dioxide	Facility-wide annual emissions to less than 250 tpy See Section 2.2 A.1	15A NCAC 02Q .0317 [PSD Avoidance]

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

### A. Facility-wide

#### 1. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS FOR 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

- a. In order to avoid applicability of 15A NCAC 02D .0530(g), all sources at the facility shall discharge into the atmosphere:
  - i. Less than 250 tons of nitrogen oxides (NO<sub>x</sub>) per consecutive twelve-month period.
  - ii. Less than 250 tons of sulfur dioxide (SO<sub>2</sub>) per consecutive twelve-month period.
  - iii. Less than 250 tons of carbon monoxide (CO) per consecutive twelve-month period.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limits given in Section 2.2 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.
- c. Under the provisions of NCGS 143-215.108, the Permittee shall conduct an initial source testing on the stack of the glass melt furnace (**ID No. P01**) within 90 days after the issuance of Air Permit No. 08618T12, unless another date is approved in advance by the DAQ. The testing shall be performed in accordance with General Condition JJ. The purpose of the test shall be used to:
  - i. confirm the emission factors for SO<sub>2</sub> and CO used in Section 2.2 A.1.j and n below; and
  - ii. reestablish a reagent injection rate for dry sorbent injection for SO<sub>2</sub> control (**ID No. C01A**). The Permittee shall perform adequate testing to reestablish a reagent injection rate that is adequate to ensure compliance at all production rates.

If the stack test is not conducted or if the results of this test are above the limits given in Section 2.2 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

- d. Following the initial stack testing specified in Section 2.2 A.1.c and under the provisions of NCGS 143-215.108, the Permittee shall conduct source testing on the stack of the glass melt furnace (**ID No. P01**) on an annual basis for SO<sub>2</sub> and CO emissions. The testing shall be performed in accordance with General Condition JJ. If the stack test is not conducted or if the results of this test are above the limits given in Section 2.2 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.
- e. The Permittee may re-establish any parametric operating value, including the reagent injection rate and SO<sub>2</sub> and CO emission factors, during periodic testing. Compliance with previously approved parametric operating values is not required during periodic testing or other tests undertaken to re-establish parametric operating values by the Permittee. If the new parametric operating values re-established during periodic testing are more stringent, the Permittee shall submit a request to revise the value(s) in the permit at the same time the test report required pursuant to General Condition JJ is submitted. The permit revision will be processed pursuant to 15A NCAC 02Q .0514. If, during performance testing, the new parametric operating values are less stringent, the Permittee may request to revise the value(s) in the permit pursuant to 15A NCAC 02Q .0515.

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

#### Production Limitation

- f. The glass melt furnace (**ID No. P01**) shall not produce more than 750 tons, including cullet, per calendar day. A daily record shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the production rate exceeds this limit or the records are not maintained.

#### NO<sub>x</sub> Emissions

- g. A continuous emissions rate monitoring system (CERMs) for nitrogen oxide shall be installed, calibrated, maintained, tested, and operated in accordance with 40 CFR Part 60, Appendix B, "Performance Specifications" and shall meet the ongoing QA/QC requirements specified in Procedure 1, Appendix F, 40 CFR Part 60.
  - i. Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and cylinder gas audits), monitor shall continuously collect data at all times that the glass melt furnace (**ID No. P01**) is operating.
  - ii. The NO<sub>x</sub> CEMS data shall be reduced as specified in 40 CFR 60.13(h)(2).

- iii. The Permittee shall report the percent excess emissions (%EE) for all periods of operation, including start-up, shutdown, and malfunction, and use the missing data procedure as follows. The Permittee shall substitute for each hour of data missing with the greater of either (A) or (B):
  - (A) the average of the hourly pollutant emission rates recorded by the CEMS of the hour before and the hour after the missing data period; or
  - (B) the maximum hourly pollutant emission rate of the past 720 operating hours.
- iv. The monitor downtime of the NOx CEMS shall not exceed 5 percent of the operating time in a calendar quarter and shall be calculated using the following equation:

$$\%MD = \left( \frac{\text{Total Monitor Downtime}}{\text{Total Source Operating Time}} \right) \times 100$$

Where:

%MD = Percent Monitor downtime for the calendar quarter.  
 Total Monitor Downtime = the number of hours in a calendar quarter where an emission source was operating but data from the associated CEMS are invalid, not available, and/or filled with missing data procedure in Section 2.2 A.1.g.iii.  
 Total Source Operating Time = the number of hours in a calendar quarter where the emission source associated with the CEMS was operating.  
 Calendar Quarter = the three-month period between January and March, April and June, July and September, and September and December.

If the associated CEMS above does not comply with these requirements, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

- h. The Permittee shall comply with the NOx emission limitation in Section 2.2 A.1.a by using the following equations:

$$\sum_{i=1}^{12} NOx_{total,i} < 250 \text{ tons per consecutive 12 – month period} \quad \text{Equation 2.2 A.1 -1}$$

$$NOx_{total,i} = NOx_{furnace,i} + NOx_{generators,i}$$

$$NOx_{furnace,i} = T_i * CERMS$$

$$NOx_{generators,i} = (EF_{P06,i} * G_{P06,i} + EF_{IP09,i} * G_{P09,i}) * (140,000 \text{ Btu/gal}) * (CF)$$

<b>Where:</b>	
NOx <sub>total,i</sub>	= total NOx emissions in calendar month i, in tons
NOx <sub>furnace,i</sub>	= total NOx emissions from glass furnace in calendar month i
CERMS	= pounds per hour of NOx emissions from the glass furnace stack as determined by the CERMS, monthly average basis, in calendar month i
T <sub>i</sub>	= total hours of operation of glass furnace in calendar month i
NOx <sub>generators,i</sub>	= total NOx emissions from generators in calendar month i
EF <sub>P06,i</sub>	= 3.2 lbs of NOx per million Btu for emergency generator (ID No. P06)
EF <sub>IP09,i</sub>	= 1.584 lbs of NOx per million Btu for emergency generator (ID No. IP09)
G <sub>P06,i</sub>	= total gallons of diesel used by emergency generator (ID No. P06) in calendar month i
G <sub>IP09,i</sub>	= total gallons of diesel used by emergency generator (ID No. IP09) in calendar month i
140,000 Btu/gal	= Heating value of diesel fuel
CF	= Conversion factor = one million Btu/1x10 <sup>6</sup> Btu

- i. Calculations of NOx emissions per month shall be made at the end of each month. Calculations and the total amount of NOx emissions shall be recorded monthly in a logbook (written or electronic format) onsite and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with

15A NCAC 02D .0530 if the monthly calculations are not conducted, the NO<sub>x</sub> emissions exceeded the avoidance limit in Section 2.2 A.1.a, or these records are not maintained.

**SO<sub>2</sub> Emissions**

- j. The Permittee shall comply with the SO<sub>2</sub> emission limitation in Section 2.2 A.1.a by using the following equations:

$$\sum_{i=1}^{12} SO_{2total,i} < 250 \text{ tons per consecutive 12 – month period} \quad \text{Equation 2.2 A.1 -2}$$

$$SO_{2total,i} = SO_{2furnace,i} + SO_{2lehr,i} + SO_{2generators,i}$$

$$SO_{2furnace,i} = TG_{furnace,i} * EF_{SO_2,furnace}$$

$$SO_{2lehr,i} = M_{SO_2lehr,i}$$

$$SO_{2generators,i} = EF_{SO_2,generators} * (G_{P06,i} + G_{IP09,i}) * (140,000 \text{ Btu/gal}) * CF$$

<b>Where:</b>	
SO <sub>2total,i</sub>	= total SO <sub>2</sub> emissions in calendar month i, in tons
SO <sub>2furnace,i</sub>	= SO <sub>2</sub> emissions from glass furnace in calendar month i, in tons
TG <sub>furnace,i</sub>	= tons of glass produced by furnace in month i
EF <sub>furnace, i</sub>	= 1.65 lbs SO <sub>2</sub> per ton of glass produced
SO <sub>2lehr,i</sub>	= SO <sub>2</sub> emissions from annealing lehr in calendar month i, in tons
MSO <sub>2lehr,i</sub>	= SO <sub>2</sub> usage of annealing lehr in calendar month i, in tons
SO <sub>2generators,i</sub>	= SO <sub>2</sub> emissions from emergency generators in calendar month i, in tons
EF <sub>generators, i</sub>	= 1.52E-03 lbs of SO <sub>2</sub> per million Btu
G <sub>P06,i</sub>	= total gallons of diesel used by emergency generator ( <b>ID No. P06</b> ) in calendar month i
G <sub>IP09,i</sub>	= total gallons of diesel used by emergency generator ( <b>ID No. IP09</b> ) in calendar month i
140,000 Btu/gal	= Heating value of diesel fuel
CF	= Conversion factor = one million Btu/1x10 <sup>6</sup> Btu

- k. Calculations of SO<sub>2</sub> emissions per month shall be made at the end of each month. Calculations and the total amount of SO<sub>2</sub> emissions shall be recorded monthly in a logbook (written or electronic format) onsite and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the calculations are not conducted, the SO<sub>2</sub> emissions exceeded the avoidance limit in Section 2.2 A.1.a, or these records are not maintained.
- l. To ensure compliance with the emission limit in Section 2.2 A.1.a above, SO<sub>2</sub> emissions from this source shall be controlled by dry sorbent injection (**ID No. C01A**) in conjunction with the catalytic ceramic filters (**ID No. C01C**). The Permittee shall comply with the monitoring and recordkeeping requirements in Section 2.1 A.1.d and e above. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the monitoring and recordkeeping is not conducted or if these records are not maintained.
- m. The Permittee shall maintain the reagent injection at a rate greater than or equal to 2.6 lb/ton of glass produced averaged over a calendar day. A daily record of the reagent injection rate shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if daily injection rate is not maintained at the daily average or if these records are not maintained.

**CO Emissions**

- n. The Permittee shall comply with the CO emission limitation in Section 2.2 A.1.a by using the following equations:

$$\sum_{i=1}^{12} CO_{total,i} < 250 \quad \text{Equation 2.2 A.1 -3}$$

$$CO_{total,i} = CO_{furnace,i} + CO_{generators,i}$$

$$CO_{furnace,i} = TG_{furnace,i} * EF_{CO,furnace}$$

$$CO_{generators,i} = (EF_{P06,i} * G_{P06,i} + EF_{IP09,i} * G_{IP09,i}) * (140,000 \text{ Btu/gal}) * CF$$

<b>Where:</b>	
CO <sub>total,i</sub>	= total CO emissions of in calendar month i
CO <sub>furnace,i</sub>	= total CO emissions from glass furnace in calendar month i
TG <sub>furnace,i</sub>	= tons of glass produced by furnace in month i
EF <sub>furnace,i</sub>	= 1.82 lbs CO per ton of glass produced
CO <sub>generators,i</sub>	= total CO emissions from the generators in calendar month i
EF <sub>P06,i</sub>	= 0.81 lbs of CO per million Btu for emergency generator <b>(ID No. P06)</b>
EF <sub>IP09,i</sub>	= 0.42 lbs of CO per million Btu for emergency generator <b>(ID No. IP09)</b>
G <sub>P06,i</sub>	= total gallons of diesel used by emergency generator <b>(ID No. P06)</b> in calendar month i
G <sub>IP09,i</sub>	= total gallons of diesel used by emergency generator <b>(ID No. IP09)</b> in calendar month i
140,000 Btu/gal	= Heating value of diesel fuel
CF	= Conversion factor = one million Btu/1x10 <sup>6</sup> Btu

- o. Calculations of CO emissions per month shall be made at the end of each month. Calculations and the total amount of CO emissions shall be recorded monthly in a logbook (written or electronic format) onsite and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the calculations are not conducted, the CO emissions exceeded the avoidance limit in Section 2.2 A.1.a, or these records are not maintained.

**Generator Operation**

- p. The Permittee shall record the total gallon of diesel fuel for each emergency generators **(ID Nos. P06 and IP09)** monthly. Records shall be maintained in a logbook (written or electronic format) on-site and shall be made available to an authorized presentative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not maintained.
- q. The Permittee shall only fire ultra-low sulfur diesel (ULSD) in the emergency generators **(ID Nos. P06 and IP09)**. The maximum sulfur content of the ULSD shall not exceed 15 ppm by weight. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the Permittee fires fuel other than ULSD in the emergency generators.
- r. To ensure compliance with the fuel sulfur limit in Section 2.2 A.1.q above, the Permittee shall retain a copy of the fuel supplier certification for any fuel oil fired in emergency generators **(ID Nos. P06 and IP09)**. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not maintained.

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

- s. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.2 A.1.f through s above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December, and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. The report shall contain the following:
- i. the monthly NOx, SO<sub>2</sub>, and CO emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months;
  - ii. summary records associated with Section 2.2 A.1.f through r.
  - iii. an excess emissions and monitoring system performance summary report, summary report, calculated on a quarterly basis, consistent with 40 CFR 60.7(c). The report shall contain the information required per 40 CFR 60.7(c) and (d).

### SECTION 3 - INSIGNIFICANT ACTIVITIES PER 15A NCAC 02Q .0503(8)

Emission Source ID No.	Emission Source Description <sup>1,2</sup>
IP08	Raw material receiving
IP09 <b>NSPS IIII</b> <b>GAOT ZZZZ</b>	One (1) diesel-fired 1,000 kw emergency generator
IP10	One (1) 10,000 gallon diesel fuel oil tank
IP11	PHG100 hydrogen generation unit

- <sup>1</sup>. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
- <sup>2</sup>. 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".

## SECTION 4 - GENERAL CONDITIONS (version 6.0, 01/07/2022)

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(s) 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. **Title V 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 [15A NCAC 02Q .0508(f)]  
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** [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

1. "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.*)
2. 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.
3. 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).

**I.B. Reporting Requirements for Permit Deviations** [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

1. "Permit 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.
2. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) quarterly by notifying the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535. 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.C. Other Requirements under 15A NCAC 02D .0535**

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

**J. Emergency Provisions** [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.

3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
  - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
  - b. the permitted facility was at the time being properly operated;
  - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
  - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. **Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

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

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .0508(i)(4)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

M. **Duty to Provide Information (submittal of information)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .0508(l)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303 or through the EPA CEDRI) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all terms and conditions in the permit (including emissions limitations, standards, or work practices), except for conditions identified as being State-enforceable Only. 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;
4. the method(s) used for determining the compliance status of the source during the certification period;
5. each deviation and take it into account in the compliance certification; and
6. as possible exceptions to compliance, any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (CAM) occurred.

**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)(3)]

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(d)]

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. **National Emission Standards Asbestos – 40 CFR Part 61, Subpart M** [15A NCAC 02D .1110]

The Permittee shall comply with all applicable standards for demolition and renovation activities pursuant to the requirements of 40 CFR Part 61, Subpart M. The permittee shall not be required to obtain a modification of this permit in order to perform the referenced activities.

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, .1110, or .1111 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 for emission sources subject to Rules .0524, .1110, or .1111, the Permittee shall provide and submit all notifications, conduct all testing, and submit all test reports in accordance with the requirements of 15A NCAC 02D .0524, .1110, or .1111, as applicable. Otherwise, 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 15A NCAC 02D .2600 if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
- b. The Director may authorize the DAQ to conduct independent tests of any source subject to a rule in 15A NCAC 02D 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 15A NCAC 02D .2600 has precedence over all other tests.

**KK. Reopening for Cause** [15A NCAC 02Q .0517]

1. A permit shall be reopened and revised under the following circumstances:
  - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
  - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
  - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

**LL. Reporting Requirements for Non-Operating Equipment** [15A NCAC 02Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

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

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas, stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

**NN. Specific Permit Modifications** [15A NCAC 02Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(b)(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(c)(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 (Air Permitting Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303 or through the EPA CEDRI) in writing at least seven days before the change is made.
  - a. The written notification shall include:
    - i. a description of the change at the facility;
    - 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.
  - b. 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 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.