



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

MICHAEL ABRACZINSKAS
Director

DRAFT

Mr. Kirk Yarbrough
Facility Manager
Stericycle, Inc.
1168 Porter Ave
Haw River, NC 27258

SUBJECT: Air Quality Permit No. 05896T26
Facility ID: 0100010
Stericycle, Inc.
Haw River
Alamance County
Fee Class: Title V
PSD Class: Minor

Dear Mr. Yarbrough:

In accordance with your completed Air Quality Permit Application for renewal of your Title V permit, we are forwarding herewith Air Quality Permit No. 05896T26 authorizing the construction and operation, of the emission sources and associated air pollution control devices 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

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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.

Alamance County has triggered increment tracking under PSD for PM₁₀ and SO₂. However, this permit renewal does not consume or expand increments for any pollutants.

This Air Quality Permit shall be effective from _____, 2023 until _____, 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 Edward L. Martin, P.E., at (919) 707-8739 or ed.martin@deq.nc.gov.

Sincerely yours,

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

Enclosure

cc: Brad Akers, EPA Region 4 (Permit and Review)
Connie Horne (cover page only)
Laserfiche (0100010)

**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 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. 05896T25:*

Page No.	Section	Description of Changes
Cover	--	<p>Updated dates and permit numbers.</p> <p>Added new cover letter with new format.</p> <p>Added page: "Notice Regarding the Right to Contest A Division of Air Quality Permit Decision."</p> <p>Reformatted permit in accordance with the updated formatting for TV permits.</p>
--	Table of Changes to the Permit	Revised the table for the changes in this renewal permit.
3	List of Acronyms,	Relocated this list to the front of the permit.
4	1, table of permitted emission sources	Moved EG1 from this table to the insignificant activities list in Section 3.
7	2.1 A.2.a.ii	Changed regulatory citation to: 02D .1206(c)(5).
7	2.1 A.2.a.iii	Changed regulatory citation to 02D .1206(c)(6). Removed old regulatory citation 02D .1206(c)(8), which is no longer in the rule.
7	2.1 A.2.d	Changed regulatory citation to: 02D .1206(d)(4) and (8).
8	2.1 A.2.j	Added regulatory citation 02D .1206(c)(6).
8	2.1 A.2.l	Changed regulatory citation to: 02D .1206(c)(6). Removed old regulatory citation 02D .1206(c)(8), which is no longer in the rule.
8	2.1 A.2.l.ii	Replaced the language defining international garbage (USDA/APHIS) with regulated garbage as defined by 7 CFR 330.400 -330.403 and 9 CFR 94.5.
8	2.1 A.2.l.iv	Removed "...captured by law enforcement agencies" from controlled substances.
8	2.1 A.2.l.v and vi	Revised wording.
9	2.1 A.2.m	Changed regulatory citation to: 02D .1206(c)(6). Removed old regulatory citation 02D .1206(c)(8), which is no longer in the rule.
9	2.1 A.2.n table	Corrected "Minimum packed bed scrubber liquor flow rate" to "Minimum venturi scrubber liquor flow rate."
9	2.1 A.2.o	Changed regulatory citation to: 02D .1206(d)(4) and (8).
10	2.1 A.2.p table	Corrected "Minimum [packed bed] scrubber liquor flow rate" to "Minimum venturi scrubber liquor flow rate."
10	2.1 A.2.t	Changed regulatory citation to: 02D .1206(d)(4) and (f)(2).
11	2.1 A.2.cc	Removed regulatory citation 02D .1206(g), which is no longer in the rule.
12	2.1 A.2.ee	Changed regulatory citation to: 02D .1206(g).
13	2.1 A.4	Added a State-enforceable Only condition for disclosure of information relating to emissions of fluorinated chemicals.
15 (old page)	2.1 B (old permit)	Removed this section. EG1 moved from this section to Section 3 (Insignificant Activities List).
15	2.3	Added several new permit shields.
16	3	<p>Created this new section for insignificant activities.</p> <p>Moved EG1 from the permit to this section as an insignificant activity (I-EG-1).</p> <p>Added tub washer I-TW-1.</p>

17-25	4	Created this new section and moved General Conditions to this section. Updated General Conditions to version 6.0, dated 01/07/2022.
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* 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.	Issue Date	Expiration Date
05896T26	05896T25		

NOTE: Per General Condition K, a permit application for the renewal of this Title V permit shall be submitted no later than XXX.

Until such time as this permit expires or is modified or revoked, the below named Permittee is authorized to operate as outlined in Part I and to construct as outlined in Part II, 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: Stericycle, Inc.
Facility ID: 0100010
Primary SIC Code: 4953
Primary NAICS: 562213

Facility Site Location: 1168 Porter Avenue
City, County, State, Zip: Haw River, Alamance County, North Carolina 27258
Mailing Address: 1168 Porter Avenue
City, State, Zip: Haw River, North Carolina 27258

Application Number: 0100010.21A
Complete Application Date: January 27, 2021

Division of Air Quality,
Regional Office Address: Winston-Salem Regional Office
450 West Hanes Mill Road, Suite 300
Winston-Salem, North Carolina 27105

Permit issued this the __ day of _____, 20XX.

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

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List of Acronyms

AOS	Alternative Operating Scenario
BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CO	Carbon Monoxide
COMS	Continuous Opacity Monitoring System
CSAPR	Cross-State Air Pollution Rule
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
GHGs	Greenhouse Gases
HAP	Hazardous Air Pollutant
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
NAA	Non-Attainment Area
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
OAH	Office of Administrative Hearings
PAE	Projected Actual Emissions
PAL	Plantwide Applicability Limitation
PM	Particulate Matter
PM_{2.5}	Particulate Matter with Nominal Aerodynamic Diameter of 2.5 Micrometers or Less
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
TAP	Toxic Air Pollutant
tpy	Tons Per Year
VOC	Volatile Organic Compound

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

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

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES01	dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu per hour primary chamber burner and 6.0 million Btu per hour secondary chamber burner)	CD07	one selective non-catalytic reduction (SNCR) system with ammonia or urea injection (19,700 ACFM, outlet airflow rate)
		CD01	one packed bed scrubber and associated quench column
		CD03	venturi scrubber equipped with a mist eliminator
		CD05	one sulfur impregnated carbon bed (6,000 ACFM, inlet airflow rate)
ES02	dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu per hour primary chamber burner and 6.0 million Btu per hour secondary chamber burner)	CD08	one selective non-catalytic reduction (SNCR) system with ammonia or urea injection (19,700 ACFM, outlet airflow rate)
		CD02	one packed bed scrubber and associated quench column
		CD04	venturi scrubber equipped with a mist eliminator
		CD06	one sulfur impregnated carbon bed (6,000 ACFM, inlet airflow rate)

SECTION 2- SPECIFIC LIMITATIONS AND CONDITIONS

2.1- Emission Source(s) and Control Devices(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. Two natural gas-fired dual-chamber hospital, medical, and infectious waste incinerators [HMIWI] (ID Nos. ES01 and ES02), each controlled with one selective non-catalytic reduction (SNCR) system (ID Nos. CD07 and CD08), in series with one packed bed scrubber (ID Nos. CD01 and CD02), in series with one venturi scrubber (ID Nos. CD03 and CD04), in series with one sulfur impregnated carbon bed (ID Nos. CD05 and CD06).**

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

Pollutant	Limits/Standards	Applicable Regulation
Toxic air pollutants	State-enforceable Only – See Section 2.1 A.1.	15A NCAC 02D .1100
Particulate matter, Sulfur dioxide, Nitrogen oxides, Carbon monoxide, and Metal HAPs	State-enforceable Only – See Section 2.1 A.2.	15A NCAC 02D .1206
Various	Federal-enforceable Only – Federal requirements for HMIWI not subject to NSPS Ce or Ec	40 CFR Part 62, Subpart HHH
Odorous emissions	State-enforceable Only – See Section 2.2 A.1.	15A NCAC 02D .1806

State-enforceable Only

1. 15A NCAC 02D .1100: CONTROL OF TOXIC AIR POLLUTANTS

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

EMISSION SOURCES	TOXIC AIR POLLUTANTS	EMISSION LIMITS
Incinerators (ID Nos. ES01 and ES02, combined)	Chromium VI	0.964 pounds per year
	Arsenic	2.673 pounds per year
	Cadmium	63.91 pounds per year
	Hydrogen Chloride	2.2 pounds per hour
	Hexachlorodibenzo-P-dioxin	0.8831 pounds per year
	Tetrachlorodibenzo-P-dioxin	0.0349 pounds per year
	Mercury	3.82 pounds per day
	Chlorine	24.00 pounds per day 1.00 pounds per hour
	Beryllium	47.64 pounds per year
	Nickel	12.00 pounds per day
	Manganese	8.22 pounds per hour
	Hydrogen Fluoride	24.00 pounds per day 1.00 pounds per hour

Operating Standards [15A NCAC 02D .1106]

- b. To ensure compliance with the above limits, the following restrictions apply:
 - i. The charge rate into ID No. ES01 shall not exceed 1,870.0 pounds per hour,
 - ii. The charge rate into ID No. ES02 shall not exceed 1,870.0 pounds per hour,
 - iii. Each incinerator's stack height shall be a minimum of 82.4 feet above ground level, and
 - iv. The maximum carbon bed inlet temperature shall not exceed the limits set in Section 2.1 A.2.n, below.
- c. In order to minimize bypass event duration and emissions, the Permittee shall:
 - i. Install an uninterruptible power supply (UPS) for the control system to eliminate any "reboot" time associated with the programmable logic controllers (PLCs). The UPS shall be equipped with a readiness indicator.
 - ii. Install a power outage indicator as an input to the PLCs.
 - iii. Revise the PLC logic to require automatic re-closure of the bypass stack within 5 minutes after a power failure.
 - iv. Install a low fuel indicator on the emergency generator diesel tank.
 - v. Install a water supply pressure indicator to alert operators to a loss of water supply.
 - vi. Operate devices to assure continuous removal of the ash from the primary chamber.
 - vii. Reduce combustion air to the primary chamber by alternately shutting the fan off and on in 1-minute cycles to achieve a net reduction in airflow of 50% during the bypass event.
- d. The Permittee shall not incinerate dental waste, as defined in the waste management plan required by Section 2.1 A.2.bb.

Testing [15A NCAC 02D .1106]

- e. In order to demonstrate compliance with 15A NCAC 02D .1100, the Permittee shall comply with the testing requirements in Section 2.1 A.2.j for cadmium and mercury.
- f. The testing shall be performed in accordance with General Condition JJ.

Monitoring [15A NCAC 02D .0605]

- g. The Permittee shall conduct the monitoring, maintenance, and inspections for each incinerator and each control device, as required by Sections 2.1 A.2.u through aa.

Recordkeeping [15A NCAC 02D .0605]

- h. The Permittee shall maintain records or any other process operational information as is necessary to determine compliance with 15A NCAC 2D .1100. All records of compliance shall be maintained in a logbook (in written or electronic format) and made available for inspection by personnel of the Division of Air Quality.
- i. The Permittee shall keep records of inspections and maintenance on the control devices as required by Section 2.1 A.2.ff.
- j. For each stack test conducted as required by this Section, the Permittee shall track and record details for the waste being burned and the material that may be carried over into the stack test period. Tracking shall include, at a minimum:
 - i. a cross-reference of the identity of the waste generator with the company's customer list (the identity information shall include the nature of the business activity);
 - ii. the type of business waste;
 - iii. the total weight of each container; and
 - vi. the time the material entered the incinerator.This information will be summarized and submitted as part of the stack test report. Additional tracking information may be required by the Regional Air Quality Supervisor.

Reporting [15A NCAC 02D .0605]

- k. The reporting requirements of 15A NCAC 2D .1206 (see Sections 2.1 A.2.hh and ii) shall be considered sufficient for reporting compliance with 15A NCAC 2D .1100.

State-enforceable Only

2. 15A NCAC 02D .1206: HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS

Emission Limits [15A NCAC 02D .1206(c)(1), (2), (5), (6), and (d)(4)]

- a. i. For the two hospital, medical, and infectious waste incinerators [HMIWI] (ID Nos. ES01 and ES02, AKA Units 1 and 2), the Permittee shall comply with the emission limits listed in Table 1B to 40 CFR Part 60, Subpart Ce:

Excerpt from Table 1B to 40 CFR Part 60, Subpart Ce

Pollutant	Limits*,**
Particulate matter (PM)	25 milligrams per dry standard cubic meter (mg/dscm) [0.011 (grains per dry standard cubic foot (gr/dscf)]
Carbon monoxide (CO)	11 parts per million by volume (ppmv)
Dioxins/furans	9.3 nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) [4.1 grains per billion dry standard cubic feet (gr/10 ⁹ dscf)] -or- 0.054 ng/dscm TEQ [0.024 gr/10 ⁹ dscf]
Hydrogen chloride (HCl)	6.6 ppmv
Sulfur dioxide (SO ₂)	9.0 ppmv
Nitrogen oxides (NOx)	140 ppmv
Lead (Pb)	0.036 mg/dscm [0.016 grains per thousand dry standard cubic feet (gr/10 ³ dscf)]
Cadmium (Cd)	0.0092 mg/dscm [0.0040 gr/10 ³ dscf]
Mercury (Hg)	0.018 mg/dscm [0.0079 gr/10 ³ dscf]

* Limits based on 7% oxygen (dry basis)

** Limits based on a three-run average with a minimum sample time of one hour per run, except for dioxins/furans which is based on a three-run average with a minimum sample time of four hours per run

- ii. The Permittee shall not allow the HMIWI to discharge gases that exhibit greater than 6% opacity, based on a six-minute block average. [15A NCAC 02D .1206(c)(5)]
- iii. The Permittee shall comply with the calculated emission limits listed in Section 2.1 A.1.a of this permit for the following pollutants: [15A NCAC 02D .1206(c)(6)]
 - 1. arsenic and its compounds
 - 2. beryllium and its compounds
 - 3. cadmium and its compounds
 - 3. chromium(VI) and its compounds
- b. The emission limits apply at all times. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(a)]

Testing [15A NCAC 02D .1206(d) and (e)]

- c. i. The test methods and procedures described in 15A NCAC 02D .2600, 40 CFR Part 60 Appendix A, and 40 CFR Part 61 Appendix B shall be used to determine compliance with emission limits.
- ii. All testing shall be conducted according to the provisions of General Condition JJ.
- iii. When determining compliance with emission limits for metals, Method 29 of 40 CFR Part 60 shall be used. However, Method 29 shall be used to sample for chromium (VI), and SW 846 Method 0061 shall be used for the analysis.

Operating Parameter Testing

- d. The Permittee shall conduct an initial performance test in order to determine compliance with the emission limits in Section 2.1 A.2.a, and to establish maximum and minimum values for the following operating parameters for each control device, as applicable: [15A NCAC 02D .1206(d)(4) and (8), 40 CFR 60.56c(d) and (h)]
 - i. Maximum charge rate;
 - ii. Maximum flue gas /carbon bed inlet temperature¹ [40 CFR 60.56c(j)];
 - iii. Minimum secondary chamber temperature;
 - iv. Minimum pressure drop across the venturi scrubbers, or minimum amperage to wet scrubber²;
 - v. Minimum venturi scrubber liquor flow rate;

1 Flue gas temperature is measured at the inlet of the carbon bed.
2 The Permittee has historically used pressure drop as the indicator.

- vi. Minimum packed bed scrubber liquor pH; and
- vii. Minimum SNCR reagent flowrate [40 CFR 60.56c(h)].
- e. The Permittee may conduct repeat performance tests at any time in order to establish new operating parameters. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(k)]
- f. Upon receipt of an approved test that demonstrates different operating parameters, the Permittee shall attach the approval memo containing the revised operating parameters to this permit and maintain the parameters in the associated ranges contained therein.
- g. The Permittee may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that the affected facility is not in violation of the applicable emissions limit(s). Repeat performance tests conducted pursuant to this paragraph shall be conducted using the identical operating parameters that indicated a violation. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(i)]

Emission Testing

- h. The Permittee shall conduct an annual (no more than 12 months following the previous test) performance test for the opacity limit. The test shall meet the requirements of 40 CFR 60.56c(b). [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(1)]
- i. The Permittee shall determine compliance with the PM and HCl emissions limits by a performance test based on the following schedule: [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(2)]
 - i. Initially, or if the previous performance test did not indicate compliance, the Permittee shall conduct a performance test annually (no more than 12 months following the previous performance test);
 - ii. If all three performance tests over a three-year period indicate compliance with the emissions limit for a pollutant (PM or HCl), the Permittee may forego a performance test for that pollutant for the subsequent two years. At a minimum, a performance test for PM and HCl shall be conducted every third year (no more than 36 months following the previous performance test);
 - iii. If a performance test conducted every third year indicates compliance with the emissions limit for a pollutant (PM or HCl), the Permittee may forego a performance test for that pollutant for an additional two years;
 - iv. If any performance test indicates noncompliance with the respective emissions limit, the Permittee shall resume conducting annual performance tests for that pollutant until the criteria of Section 2.1 A.2.i.ii, above, are met.
- j. The Permittee shall determine compliance with the mercury, cadmium, and lead emission limits by a performance test performed every three years (no more than 36 months following the previous performance test). [15A NCAC 02D .1206(c)(6) and (e)(2)]
 - i. For each stack test conducted as required by this paragraph, the Permittee shall track and record details for the waste being burned and the material that may be carried over into the stack test period. Tracking shall include, at a minimum:
 - 1. a cross-reference of the identity of the waste generator with the company's customer list (the identity information shall include the nature of the business activity);
 - 2. the type of business waste;
 - 3. the total weight of each container; and
 - 4. the time the material entered the incinerator.
 - ii. This information will be summarized and submitted as part of the stack test report. Additional tracking information may be required by the Regional Air Quality Supervisor.
- k. The use of the bypass stack during a performance test shall invalidate the performance test. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(b) and (c)(2)]

Operational Standards [15A NCAC 02D .1206(b) "definitions", (d)(4)]

- l. The Permittee shall only incinerate waste that meets one of the following requirements: [15A NCAC 02D .1206(c)(6)]
 - i. hospital waste or medical/infectious waste, as defined by 40 CFR Part 60, Subpart Ec and 15A NCAC 02D .1202;
 - ii. regulated garbage as defined by 7 CFR 330.400 -330.403 and 9 CFR 94.5;
 - iii. confidential documents generated in the health care industry;
 - iv. controlled substances;
 - v. trace chemotherapy waste as defined in 15A NCAC 13B .1201; or
 - vi. non-hazardous waste pharmaceuticals;Items v. and vi. above refer to those substances that are not regulated under 15A NCAC 13A .0106.
- m. Dental waste, as defined in the DAQ approved waste management plan (See Section 2.1 A.2.bb), is not to be incinerated. [15A NCAC 02D .1206(c)(6)]

- n. Following the date on which the maximum and minimum operating parameters are established, the Permittee shall ensure that all parameters remain within the acceptable range as measured on a 3-hour rolling average. Operation outside of acceptable ranges shall constitute a violation of established operating parameter(s), except as provided below: [15A NCAC 02D .1206(d)(4)]:
 - i. Operating parameter limits do not apply during performance tests. [40 CFR 60.56c(d)(2) and (h)(2)].
 - ii. Operating parameter limits do not apply during periods of startup and shutdown when no waste is being charged. [40 CFR 60.56c(j)]

The table below contains the most recently established operating parameters, as of the issuance of Permit T24. If DAQ has issued an approval memo for revised operating parameters, those parameters are to be used instead of the table below.

Parameter*,**	Unit 1	Unit 2
Maximum charge rate	1,870.0 pounds per hour	1,870.0 pounds per hour
Maximum flue gas / carbon bed inlet temperature	168.1 °F	164.1 °F
Minimum secondary chamber temperature	1,762.8 °F	1,759.5 °F
Minimum pressure drop across the venturi scrubber	39.0 inches of water	38.9 inches of water
Minimum venturi scrubber liquor flow rate	65.2 gallons per minute	66.7 gallons per minute
Minimum packed bed scrubber liquor pH	4.10	4.1
Minimum SNCR reagent flowrate	urea: 1.1 gallons per hour -or- ammonia: 1.0 gallons per hour	urea: 1.2 gallons per hour -or- ammonia: 1.0 gallons per hour

* Parameters as defined in 40 CFR 60.51c.
** Each parameter is measured on a 3-hour rolling average.

- o. Except as provided in Sections 2.1 A.2.g and 2.1 A.2.n.ii, the following scenarios shall constitute a violation of an emission limit (each parameter is measured on a 3-hour rolling average): [15A NCAC 02D .1206(d)(4) and (8), 40 CFR 60.56c(f), (h), and (j)]

Operating Scenario	Emissions Limit Violation
<ul style="list-style-type: none"> • Above maximum charge rate AND • below minimum pressure drop across venturi scrubber 	PM
<ul style="list-style-type: none"> • Above maximum charge rate AND • below minimum secondary chamber temperature 	CO
<ul style="list-style-type: none"> • Above maximum charge rate AND • below minimum secondary chamber temperature AND • below minimum venturi scrubber liquor flow rate 	Dioxin/furans
<ul style="list-style-type: none"> • above maximum charge rate AND • below minimum packed bed scrubber liquor pH 	HCl
<ul style="list-style-type: none"> • above the maximum carbon bed inlet temperature AND • above maximum charge rate 	Hg
<ul style="list-style-type: none"> • Uses bypass stack 	PM, dioxin/furan, HCl, Pb, Cd and Hg
<ul style="list-style-type: none"> • Above maximum charge rate AND • below minimum secondary temperature AND • below minimum reagent flow rate 	NOx

Parameter Monitoring [15A NCAC 02D .1206(f)(2), (6) and (8), 15A NCAC 02D .0613]

- p. The Permittee shall install, calibrate (to the manufacturer's specifications), maintain, and operate the following monitoring devices: [15A NCAC 02D .1206(f)(2) and (6), 40 CFR 60.57c]
 - i. Devices for monitoring the maximum and minimum parameters, listed in Section 2.1 A.2.n such that these devices measure and record values for those parameters at the frequencies listed in Table 3 to 40 CFR Part 60 Subpart Ec:

Excerpt from Table 3 to 40 CFR Part 60, Subpart Ec

Operating parameters to be monitored	Minimum frequency	
	Data measurement	Data recording
Maximum operating parameters:		
Maximum charge rate	Continuous	1 × hour
Maximum flue gas temperature	Continuous	1 × minute
Minimum operating parameters:		
Minimum secondary chamber temperature	Continuous	1 × minute
Minimum pressure drop across the [venturi] scrubber	Continuous	1 × minute
Minimum venturi scrubber liquor flow rate	Continuous	1 × minute
Minimum packed bed scrubber liquor pH	Continuous	1 × minute

- ii. A device or method for measuring the use of the bypass stacks, including date, time, and duration.
- iii. A continuous temperature monitoring and recording system for temperature in the primary chamber of each affected HMIWI.
- iv. A device to continuously measure the reagent flowrate to the SNCR and record the data at least once per minute.
- v. A continuous monitor for both oxygen and CO in order to determine proper operation of each HMIWI
- q. The Permittee shall obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be obtained for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter that the affected facility is combusting hospital waste and/or medical/infectious waste. [15A NCAC 02D .1206(f)(6), 40 CFR 60.57c(e)]
- r. All monitoring devices and associated equipment used to show compliance with emission limits shall be subject to a Quality Assurance (QA) program which must include procedures and frequency of the following: [15A NCAC 02D .0613]
 - i. calibrations;
 - ii. standards traceability;
 - iii. operational checks;
 - iv. maintenance;
 - v. auditing;
 - vi. data validation; and
 - vii. a schedule for implementing the QA program.
 The QA program must be submitted to and approved by the Regional Supervisor, NC DAQ, Winston-Salem Regional Office.

Visible Emissions Monitoring [15A NCAC 02D .0611]

- s. To assure compliance with the visible emissions limit, once a day the Permittee shall observe the emission points of each HMIWI for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three (3) days of absent observations per semi-annual period. If visible emissions from this source are observed to be above normal, the Permittee shall either:
 - 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.2.a, above.

CO Emission Monitoring [15A NCAC 02D .1206(d)(4) and (f)(2)]

- t. The Permittee shall install a carbon monoxide continuous emissions monitoring system (CO CEMS) on the exhaust stack of each incinerator. [40 CFR 60.56c(c)(4)]
 - i. The CO CEMS shall be used to determine compliance with the CO emission limit using a 12³-hour block average, calculated as specified in Section 12.4.1 of EPA Reference Method 19 of appendix A-7 of 40 CFR Part 60.
 - ii. The CO CEMS shall be operated in accordance with the applicable procedures under appendices B and F of 40

3 While the rule requires a 24-hour average, the Permittee requested a more stringent 12-hour average. This request was approved with the T25 permit, issued December 19, 2016.

CFR Part 60.

- iii. When demonstrating compliance with the CO emission limit, the Permittee may substitute a CO CEMS for the annual CO performance test and minimum secondary chamber temperature.

Equipment Inspections [15A NCAC 02D .1206(d)(2) and (3), (f)(1) and (6), 15A NCAC 02D .0611]

- u. The Permittee shall perform an annual (for each 12-month period following the initial inspection) inspection of each HMIWI. The inspection shall, at a minimum, meet the requirements of 40 CFR 60.36e(a)(1)(i) through (xvii). [15A NCAC 02D .1206(d)(2)]
- v. The Permittee shall perform an annual (for each 12-month period following the initial inspection) inspection of each control device associated with each HMIWI. At a minimum, each control device must meet the following criteria (if applicable):
 - i. ensure proper calibration of thermocouples, sorbent feed systems, and any other monitoring equipment; and
 - ii. generally observe that the equipment is maintained in good operating condition
- w. Any necessary repairs found during an inspection of a HMIWI or control device shall be completed within 10 operating days of the inspection unless the owner or operator submits a written request to the Director for an extension of the 10 operating day period.

Carbon Bed Requirements [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(j)]

- x. The carbon beds (**ID Nos. CD05 and CD06**), used for the control of mercury (Hg) emissions from the HMIWIs, shall be designed and operated with two beds in series, with the second bed serving as a guard bed.
- y. In accordance with the DAQ-approved control plan⁴, while operating the carbon beds, the Permittee shall, at a minimum:
 - i. Replace each carbon bed or the carbon in each bed before it has reached the end of its useful life. For the replacement of carbon in the primary bed, the secondary bed will be rotated into the primary bed position and the new carbon will be used in the secondary bed position; and
 - ii. Use the type of activated carbon used during the most recent performance test demonstrating compliance with the Hg emission limit until a subsequent performance test is conducted.
- z. The Permittee may substitute at any time a different brand of activated carbon, provided that the replacement has equivalent or improved properties compared to the carbon used in the most recent performance test.
- aa. The Permittee shall monitor the performance of the carbon beds in each affected carbon bed system as provided below to ensure that the carbon in each bed has not reached the end of its useful life:
 - i. The monitoring shall be conducted consistent with the manufacturer's specifications and recommendations;
 - ii. The Permittee shall document the monitoring procedures used; and
 - iii. The Permittee shall keep records of any performance monitoring

Waste Management [15A NCAC 02D .1206(f)(5)]

- bb. The Permittee shall, by January 30th of each calendar year, develop and submit to DAQ a waste management plan that meets and follows the guidelines listed in 40 CFR 60.55c. The Permittee shall implement the approved waste management plan in its entirety. In addition, the waste management plan shall address the management of dental waste.

Excess Emissions, Start-up, and Shut-down [15A NCAC 02D .0535]

- cc. The Permittee shall comply with 15A NCAC 02D .0535 "Excess Emissions Reporting and Malfunctions". Emissions from bypass conditions shall not be exempted by 15A NCAC 02D .0535(c) or (g).

Alternate Operating Scenario [15A NCAC 02D .1206(d)(4), 40CFR 60.56c(j)]

- dd. The Permittee may operate a HMIWI using only combustion controls during periods of startup and shutdown when no waste is being combusted. During such periods, the Permittee shall monitor and record the following:
 - i. Verify that no waste is being combusted,
 - ii. The secondary chamber temperature, and
 - iii. The amount and type of fuel being combusted.

Operator Training [15A NCAC 02D .1206(g)]

- ee. The Permittee shall not allow a HMIWI to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within one hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one or more HMIWI operators.

4 Initially approved with the T23 permit, issued June 30, 2015

- i. Operator training and qualification shall be obtained by completing the requirements of 40 CFR 60.53c(c) through (g).
- ii. The Permittee shall maintain, at the facility, all items required by 40 CFR 60.53c(h)(1) through (h)(10).
 - A. The Permittee shall establish a program for reviewing this information annually with each HMIWI operator.
 - B. This information shall be kept in location readily accessible for all HMIWI operators.

Recordkeeping [15A NCAC 02D .1206(f)(3), (11), (12), 40 CFR 60.58c(b), 15A NCAC 02D .0611]

- ff. The Permittee shall keep the following records for a period of at least five (5) years:
 - i. Calendar date of each record;
 - ii. Concentrations of any pollutant determined via continuous emission monitoring system;
 - iii. HMIWI charge dates, times, weights, and hourly charge weights;
 - iv. Amount and type of NOx reagent used during each hour of operation, as applicable;
 - v. Secondary chamber temperatures recorded during each minute of operation;
 - vi. Liquor flow rate to the wet scrubber inlet during each minute of operation, as applicable;
 - vii. Amperage to the wet scrubber during each minute of operation, as applicable;
 - viii. Pressure drop across the wet scrubber system during each minute of operation, as applicable;
 - ix. Temperature at the outlet from the wet scrubber during each minute of operation, as applicable;
 - x. pH at the inlet to the wet scrubber during each minute of operation, as applicable;
 - xi. Records indicating use of the bypass stack, including dates, times, and durations;
 - xii. Records of the annual air pollution control device inspections and annual HMIWI inspections, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator;
 - xiii. Identification of calendar days for which data on emission rates or operating parameters have not been obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken;
 - xiv. Identification of calendar days, times and durations of malfunctions, a description of the malfunction and the corrective action taken;
 - xv. Identification of calendar days for which data on emission rates or operating parameters exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of corrective actions taken;
 - xvi. The results of the initial, annual, and any subsequent performance tests and a description of how the operating parameters were established or re-established;
 - xvii. Records of HMIWI operators that have met training qualifications; and
 - xviii. Records of monitoring device calibration;
 - xix. Records of monitoring activities for visible emissions. This should include the date and time of each recorded action and the results of each observation/test, noting those sources observed to be in noncompliance. [15A NCAC 02D .0611]
 - xx. Records required by Section 2.1 A.2.dd, above.
- gg. The Permittee shall keep records in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. [15A NCAC 02D .0611 and .1206(f)(3), 40 CFR 60.56c(f)]

Reporting [15A NCAC 02D .1206(f)(3), 40 CFR 60.58c, 15A NCAC 02D .0611]

- hh. 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 24-month period between July and December and July 30 of each calendar year for the preceding 24-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.
- ii. The report shall also include:
 - i. The values for the site-specific operating parameters;
 - ii. The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded for the calendar year being reported and for the previous calendar year;
 - iii. If a performance test was conducted during the reporting period, the results of the test shall be included;
 - iv. Dates where monitoring data was not collected, indicated exceedances, or indicated a malfunction. (See Sections 2.1 A.2.ff.xv, xvi, and xvii, above); and
 - v. If no exceedances or malfunctions occurred during the calendar year being reported, a statement to that effect shall be included in the report.

Federal-enforceable only

- 3. 40 CFR Part 62, Subpart HHH "Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed On Or Before December 1, 2008"**

The Permittee shall comply with all applicable requirements of 40 CFR Part 62, Subpart HHH.

State-enforceable only

- 4. Disclosure of Information Relating to Emissions of Fluorinated Chemicals [15A NCAC 02Q .0308(a); 15A NCAC 02Q .0309(b)]**

The Permittee shall have an ongoing duty to disclose the presence of materials containing fluorinated chemicals at the facility that have the potential to result in the emission of fluorinated chemicals to the environment. Such disclosures shall be in writing and submitted to the Regional Office Supervisor within thirty days of the Permittee becoming aware of such information, unless such information has already been disclosed to DAQ by the Permittee. The disclosure shall describe the identity, quantity, and use of such material to the extent known. DAQ may require the permittee to conduct analysis or testing of fluorinated chemical emissions as necessary to properly evaluate emissions sources at the facility. As used in this condition, the term "fluorinated chemicals" includes but is not limited to per- and polyfluoroalkyl substances (PFAS).

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

A. Facility-wide emission sources

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

Pollutant	Limits/Standards	Applicable Regulation
Odors	State-enforceable only odorous emissions must be controlled	15A NCAC 02D .1806

State-enforceable only

1. 15A NCAC 02D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS

- a. The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility’s boundary.
- b. If the Director determines that a source or facility is emitting an objectionable odor, by the procedures described below, the Permittee shall:
 - i. within 180 days of receipt of written notification from the Director of the requirement to implement maximum feasible controls, complete the determination process outlined in 15A NCAC 02D .1807 and submit to the Director a completed maximum feasible control determination process, a permit application for maximum feasible controls and a compliance schedule;
 - ii. within 18 months of receipt of written notification from the Director of the requirement to implement maximum feasible controls, have installed and begun operating maximum feasible controls.
- c. The Director may require the Permittee to implement maximum feasible controls per 15A NCAC 02D .1806(g) if:
 - i. a member of the Division staff determines by field investigation that an objectionable odor is present by taking into account nature, intensity, pervasiveness, duration, and source of the odor and other pertinent factors;
 - ii. the source or facility emits known odor causing compounds such as ammonia, total volatile organics, hydrogen sulfide, or other sulfur compounds at levels that cause objectionable odors beyond the property line of that source or facility; or
 - iii. the Division receives epidemiological studies associating health problems with odors from the source or facility or evidence of documented health problems associated with odors from the source or facility provided by the State Health Director.

2.3- Permit Shield for Nonapplicable Requirements

The Permittee is shielded from the following nonapplicable requirements as of the date of issuance of this permit based on information furnished with all previous applications. This shield does not apply to future modifications or changes in the method of operation:

- A. 40 CFR Part 60, Subpart Ce does not apply to this facility because this rule is specifically excluded from applicability in 15A NCAC 02D .0524(b)(7).
- B. 40 CFR Part 60, Subpart Ec does not apply to this facility because the HMIWIs were constructed and/or modified before the applicability date in 40 CFR 60.56c(a).
- C. 40 CFR Part 68 (Risk Management Program) does not apply to this facility, except for the General Duty provisions, because the facility does not operate any processes that contain or process chemicals that meet the minimum threshold quantities that would subject the facility to the rule.
- D. 40 CFR Part 64 (Compliance Assurance Monitoring) does not apply to this facility because the facility does not have any specific emissions units using a control device to achieve compliance with a non-exempt regulated air pollutant emission limit that has potential pre-control emissions equal to or greater than the major source thresholds (100 tons per year) of the applicable regulated air pollutant.
- E. 40 CFR Part 82 (Protection of Stratospheric Ozone), except Subparts B and F, does not apply to this facility because the facility does not make, distribute, or process CFCs covered by this regulation.
- F. 40 CFR Part 60, Subpart Kb, (Standards of Performance for Volatile Organic Liquid Storage Vessels for which Construction, Reconstruction, or Modification Commenced after July 23, 1984) does not apply to this facility because the facility does not maintain any storage tanks containing VOCs that meet both the size requirement and the installation date requirement that would subject them to 40 CFR Part 60, Subpart Kb.
- G. 40 CFR Part 60, Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines) does not apply to emergency generator EG1 because the engine is a compression ignition internal combustion engine.
- H. 15A NCAC 02D .0900 (Volatile Organic Compounds) does not apply to the facility because the facility is not a type of facility regulated by this rule.

It should be noted that sections of 40 CFR Part 60, Subparts Ce and Ec are incorporated by reference under 15A NCAC 02D .1206 "Hospital, Medical, and Infectious Waste Incinerators". This permit shield does not exempt the Permittee from complying with all aspects of 15A NCAC 02D .1206.

[15A NCAC 02Q .0512(a)(1)(B)]

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

Emission Source I.D. No.	Emission Source Description
I-CT-1 and I-CT-2	Two cooling towers (55,200 gallons per hour water recirculation rate each)
I-AMM	Facility-wide storage of 19% aqueous ammonia
I-EG1 GACT ZZZZ, NSPS III	diesel-fired emergency generator (500 kilowatts maximum capacity ⁵)
I-TW-1	Maxon Tube-O-Therm tub washer with two natural gas-fired burners of 0.9 million Btu per hour and 2.0 million Btu per hour

¹ Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement (Federal or State) or that the Permittee is exempted from demonstrating compliance with any applicable requirement.

² When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 “Control of Toxic Air Pollutants” or 02Q .0711 “Emission Rates Requiring a Permit.”

5 The generator is rated for 500 kilowatts, but the engine driving it is rated for 568 kilowatts.

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. six 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.

