ROY COOPER
*Governor*
ELIZABETH S. BISER
*Secretary*
MICHAEL ABRACZINSKAS
*Director*

NORTH CAROLINA
*Environmental Quality*

XX

David Cullipher
Senior Manager – Environment, Health & Safety
Regulator Marine, Inc.
187 Peanut Drive
Edenton, North Carolina 27932

Dear Mr. Cullipher:

SUBJECT: Air Quality Permit No. 07132T14
Facility ID: 2100073
Regulator Marine, Inc.
Edenton, Chowan County
Fee Class: Title V
PSD Class: Minor

In accordance with your completed Air Quality Permit Application for renewal of your Title V permit, we are forwarding herewith Air Quality Permit No. 07132T14 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). 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 a 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 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Chowan County has not triggered increment tracking under PSD for any pollutants, so no increment tracking is required for this permit renewal.

This Air Quality Permit shall be effective from xx, until xx, 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 Conzuela B. Cogdell at 919-707-8458 or conzuela.cogdell@deq.nc.gov.

Sincerely yours,

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

Enclosure

c: Brad Akers, EPA Region 4 (Permit and Review)
Laserfiche (2100073)
Connie Horne (cover letter only)

**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 the Regulator Marine, Inc. Title V Permit No. 07132T14:

| Page(s)* | Section* | Description of Change(s) |
|---|---|---|
| Throughout | Throughout | • Updated dates/permit numbers.<br>• Fixed formatting.<br>• Updated authorized contact. |
| – | Cover Letter | • Added "Notice Regarding the Right to Contest a Division of Air Quality Permit Decision" |
| Throughout | 2.1 | • Added add-on-control device option sections |
| 16-20 | 2.1 B | • Updated references for new/reconstruction engine.<br>• Added footnote from 40 CFR 63.6615, Table 3 to Permit Section 2.1 B.3(p) |
| 22 | Insignificant Activities | • Relocated to Section 3 and moved updated General Condition v8.0 to Section 4 due to modification of Item D. |
| 3 | Acronyms | • List of Acronyms moved from last page to page 3. |

* This refers to the current permit unless otherwise stated.

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 |
|---|---|---|---|
| 07132T14 | 07132T13 | xx | xx |

NOTE: Per General Condition K, a permit application for the renewal of this Title V permit shall be submitted no later than xx [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, 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:** | **Regulator Marine, Inc.** |
| **Facility ID:** | **2100073** |
| **Primary SIC Code:** | **3732** |
| **NAICS Code:** | **336612** |
| **Facility Site Location:** | **187 Peanut Drive** |
| **City, County, State, Zip:** | **Edenton, Chowan County, North Carolina 27932** |
| **Mailing Address:** | **187 Peanut Drive** |
| **City, State, Zip:** | **Edenton, North Carolina 27932** |
| **Application Number:** | **2100073.24A** |
| **Complete Application Date:** | **May 6, 2024** |
| **Division of Air Quality, Regional Office Address:** | **Washington Regional Office<br>943 Washington Square Mall<br>Washington, North Carolina 27889** |

Permit issued this the XX

_____
Mark Cuilla, EIT, CMP, Chief, Permitting Section
By Authority of the Environmental Management Commission

## Table of Contents

## List of Acronyms

| | |
|---|---|
| **AOS** | Alternative Operating Scenario |
| **BACT** | Best Available Control Technology |
| **Btu** | British thermal unit |
| **CAA** | Clean Air Act |
| **CAIR** | Clean Air Interstate Rule |
| **CEM** | Continuous Emission Monitor |
| **CFR** | Code of Federal Regulations |
| **DAQ** | Division of Air Quality |
| **DEQ** | Department of Environmental Quality |
| **EMC** | Environmental Management Commission |
| **EPA** | Environmental Protection Agency |
| **FR** | Federal Register |
| **GACT** | Generally Available Control Technology |
| **HAP** | Hazardous Air Pollutant |
| **MACT** | Maximum Achievable Control Technology |
| **NAA** | Non-Attainment Area |
| **NCAC** | North Carolina Administrative Code |
| **NCGS** | North Carolina General Statutes |
| **NESHAP** | National Emission Standards for Hazardous Air Pollutants |
| **$NO_X$** | Nitrogen Oxides |
| **NSPS** | New Source Performance Standard |
| **OAH** | Office of Administrative Hearings |
| **PM** | Particulate Matter |
| **$PM_{10}$** | Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less |
| **POS** | Primary Operating Scenario |
| **PSD** | Prevention of Significant Deterioration |
| **RACT** | Reasonably Available Control Technology |
| **SIC** | Standard Industrial Classification |
| **SIP** | State Implementation Plan |
| **$SO_2$** | Sulfur Dioxide |
| **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 |
|---|---|---|---|
| ES-1 **(MACT VVVV)** | large parts fabrication building, including fiberglass laminating, gel coating, trimming, and sanding | CD-1 | Fiberglass mesh filters on seven roof exhausts |
| ES-2 **(MACT VVVV)** | small parts fabrication building, including fiberglass laminating and gel coating | CD-6 | fiberglass mesh filters on two roof exhausts |
| ES-I4 **(MACT ZZZZ)** | Diesel-fired peak shaving generator (764 horsepower maximum capacity) | CD-I4 | Diesel Oxidation Catalyst |

# 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.**

- **Large parts fabrication building (ID No. ES-1) with associated fiberglass mesh filters on seven roof exhausts (ID No. CD-1)**
- **Small parts fabrication building (ID No. ES-2) with associated fiberglass mesh filters installed on two roof exhausts (ID No. CD-6)**

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 $\leq$ 30 tons per hour, OR<br>$E=55 \times P^{0.11} - 40$, for process rates > 30 tons per hour<br>Where: E = allowable emission rate in pounds per hour<br>P = process weight in tons per hour | 15A NCAC 02D .0515 |
| Visible emissions | 20 percent opacity | 15A NCAC 02D .0521 |
| Odor | State-enforceable only<br>See Section 2.2 A.1 | 15A NCAC 002D .1806 |
| Volatile organic compounds | See Section 2.2 A.2 | 15A NCAC 02Q .0317<br>(PSD Avoidance) |
| Hazardous air pollutants | See Section 2.2 B | 15A NCAC 02D .1111<br>(40 CFR Part 63, Subpart VVVV) |

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

a. Emissions of particulate matter from these sources **(ID Nos. ES-1 and ES-2)** shall not exceed an allowable emission rate as calculated by the following equation:

$E=4.10 \times P^{0.67}$, for process rates $\leq$ 30 tons per hour, OR

$E=55 \times P^{0.11} - 40$, for process rates > 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.

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

c. Particulate matter emissions from these sources **(ID Nos. ES-1 and ES-2)** shall be controlled by roof exhaust fiberglass mesh filters **(ID Nos. CD-1 and CD-6)**. To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. At a minimum, the inspection and maintenance program shall include weekly inspections of the filters noting their condition. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0515 if the filters are not inspected and maintained.

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

d. The results of inspection and maintenance for the filters 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; and
   iii. the results of maintenance performed on any filter.

   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 requirements given in Sections 2.1 A.1.c and d above postmarked on or electronically submitted 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 No. ES-1 and ES-2)** 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 Sections 2.1 A.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 every six months the Permittee shall observe the emission points of these sources **(ID Nos. ES-1 and ES-2)** for any visible emissions above normal. The observation must be made once semiannually for each of the two six-month calendar year periods to ensure compliance with this requirement. 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 A.4.a (or b) above.

   The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if the required semiannual observations are not conducted or if the above-normal emissions are not corrected within the monitoring period or the percent opacity demonstration cannot be made.

**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 sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and

iii. the results of any corrective actions performed.
The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

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

e. The Permittee shall submit a summary report of the monitoring and recordkeeping requirements given in Sections 2.1 A.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.

## 3. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (40 CFR Part 63, Subpart VVVV)

a. For each boat manufacturing emission source at this facility **(ID Nos. ES-1 and ES-2)**, the Permittee shall comply with all applicable provisions contained in Environmental Management Commission Standard 15A NCAC 02D .1111, "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR Part 63, Subpart VVVV "National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing," including Subpart A "General Provisions."

**Open Molding Resin and Gel Coat Operations** [40 CFR 63.5698]

b. i. The Permittee shall limit organic HAP emissions from the operations listed in Section 2.1 A.3 b.i(A) through (E), below, to the emission limit calculated in Section 2.1 A 3.b.ii, below. Operations listed in Section 2.1 A.3 b.iv, below, are exempt from this limit.
(A) Production resin.
(B) Pigmented gel coat.
(C) Clear gel coat.
(D) Tooling resin.
(E) Tooling gel coat.

ii. Limit organic HAP emissions from open molding operations to the limit specified by Equation 1, based on a 12-month rolling average.

$$\text{HAP Limit} = [46(M_R) + 159(M_{PG}) + 291(M_{CG}) + 54(M_{TR}) + 214(M_{TG})]$$
(Equation 1)

Where:

HAP Limit = total allowable organic HAP that can be emitted from the open molding operations, kilograms.
$M_R$ = mass of production resin used in the past 12 months, excluding any materials exempt under Section 2.1 A.3 b.iv of this condition, megagrams.
$M_{PG}$ = mass of pigmented gel coat used in the past 12 months, excluding any materials exempt under Section 2.1 A.3 b.iv of this condition, megagrams.
$M_{CG}$ = mass of clear gel coat used in the past 12 months, excluding any materials exempt under Section 2.1 A.3 b.iv of this condition, megagrams.
$M_{TR}$ = mass of tooling resin used in the past 12 months, excluding any materials exempt under Section 2.1 A.3 b.iv of this condition, megagrams.
$M_{TG}$ = mass of tooling gel coat used in the past 12 months, excluding any materials exempt under Section 2.1 A.3 b.iv of this condition, megagrams.

iii. The open molding emission limit is the same for both new and existing sources.

iv. The materials specified in Section 2.1 A.3 b.iv(A) through (C) of this condition are exempt from the open molding emission limit specified in Section2.1 A.3 (b) of this condition.
(A) Production resins (including skin coat resins) that must meet specifications for use in military vessels or must be approved by the U.S. Coast Guard for use in the construction of lifeboats, rescue boats, and other life-saving appliances approved under 46 CFR subchapter Q or the construction of small passenger vessels regulated by 46 CFR subchapter T. Production resins for which this exemption is used must be applied with nonatomizing (non-spray) resin application equipment. A record must be kept of the resins which are being used for this exemption.
(B) Pigmented, clear, and tooling gel coat used for part or mold repair and touch up. The total gel coat materials included in this exemption must not exceed 1 percent by weight of all gel coat used at the facility on a 12-month rolling-average basis. A record must be kept of the amount of gel coats which are being used for this

exemption and copies of calculations showing that the exempt amount does not exceed 1 percent of all gel coats used.

(C) Pure, 100 percent vinylester resin used for skin coats. This exemption does not apply to blends of vinylester and polyester resins used for skin coats. The total resin materials included in the exemption cannot exceed 5 percent by weight of all resin used at the facility on a 12-month rolling-average basis. A record must be kept of the amount of 100 percent vinylester skin coat resin used per month that is eligible for this exemption and copies of calculations showing that the exempt amount does not exceed 5 percent of all resin used.

**Standards for Resin and Gel Coat Mixing Operations** [40 CFR 63.5731]

c. i. All resin and gel coat mixing containers with a capacity equal to or greater than 208 liters, including those used for on-site mixing of putties and polyputties, must have a cover with no visible gaps in place at all times.

ii. The work practice standard in Section 2.1 A.3 c. of this condition does not apply when material is being manually added to or removed from a container, or when mixing or pumping equipment is being placed in or removed from a container.

iii. To demonstrate compliance with the work practice standard in Section2.1 A.3 c. of this condition, the Permittee must visually inspect all mixing containers subject to this standard at least once per month. The inspection should ensure that all containers have covers with no visible gaps between the cover and the container, or between the cover and equipment passing through the cover.

iv. The Permittee must keep records of which mixing containers are subject to this standard and the results of the inspections, including a description of any repairs or corrective actions taken.

**Standards for Resin and Gel Coat Application Equipment Cleaning Operations** [40 CFR 63.5734]

d. i. For routine flushing of resin and gel coat application equipment (e.g., spray guns, flowcoaters, brushes, rollers, and squeegees), the Permittee must use a cleaning solvent that contains no more than 5 percent organic HAP by weight. For removing cured resin or gel coat from application equipment, no organic HAP content limit applies.

ii. The Permittee must store organic HAP-containing solvents used for removing cured resin or gel coat in containers with covers. The covers must have no visible gaps and must be in place at all times, except when equipment to be cleaned is placed in or removed from the container. On containers with a capacity greater than 7.6 liters, the distance from the top of the container to the solvent surface must be no less than 0.75 times the diameter of the container. Containers that store organic HAP-containing solvents used for removing cured resin or gel coat are exempt from the requirements of 40 CFR Part 63, Subpart T (National Emission Standards for Halogenated Solvent Cleaning). Cured resin or gel coat means resin or gel coat that has changed from a liquid to a solid.

**Options for Complying with the Open Molding Emission Limit** [40 CFR 63.5701]

e. i. The Permittee shall use one or more of the options listed in Section2.1 A.3 e.ii or e.iii, below, to meet the emission limit in Section 2.1 A.3 b.ii, above, for the resins and gel coats used in open molding operations at the facility.

ii. *Maximum achievable control technology (MACT) model point value averaging (emissions averaging) option*: Demonstrate that emissions from the open molding resin and gel coat operations that are averaged meet the emission limit in Section 2.1 A.3 b.ii, above, using the procedures described in Section 2.1 A.3 h., below. Compliance with this option is based on a 12-month rolling average. Those operations and materials not included in the emissions average must comply with Section 2.1 A.3 e.iii, below.

iii *Compliant materials option*:
Demonstrate compliance by using resins and gel coats that meet the organic HAP content requirements as contained in Table 2 to 40 CFR Part 63, Subpart VVVV (shown below). Compliance with this option is based on a 12-month rolling average.

iv *Add-on control option*
Use an enclosure and add-on control device and demonstrate that the resulting emissions meet the emission limit in 63.5698. Compliance with this option is based on control device performance testing and control device monitoring.

**Table 2 to Subpart VVVV of Part 63 –**
**Alternative Organic HAP Content Requirements for Open Molding Resin and Gel Coat Operations**

| For this operation: | And this application method: | You must not exceed this weighted-average organic HAP content (weight percent) requirement: |
|---|---|---|
| 1. Production resin operations | Atomized (spray) | 28 percent |
| 2. Production resin operations | Nonatomized (nonspray) | 35 percent |
| 3. Pigmented gel coat operations | Any method | 33 percent |
| 4. Clear gel coat operations | Any method | 48 percent |
| 5. Tooling resin operations | Atomized (spray) | 30 percent |
| 6. Tooling resin operations | Nonatomized (nonspray) | 39 percent |
| 7. Tooling gel coat operations | Any method | 40 percent |

**General Requirements for Complying with the Open Molding Emission Limit** [40 CFR 63.5704]

f. i. *Emissions averaging option*:
For those open molding operations and materials complying using the emissions averaging option, compliance must be demonstrated by performing the steps in Section 2.1 A.3 f.i(A) through (E), below:
(A) Use the methods specified in Section2.1 A.3 m., below, to determine the organic HAP content of resins and gel coats.
(B) Complete the calculations described in Section 2.1 A.3 h., below, to show that the organic HAP emissions do not exceed the limit specified in Section 2.1 A.3 b., above.
(C) Keep records as specified in Section 2.1 A.3 f.i(C)(1) through (4), below, for each resin and gel coat.
(1) Hazardous air pollutant content.
(2) Amount of material used per month.
(3) Application method used for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.
(4) Calculations performed to demonstrate compliance based on MACT model point values, as described in Section 2.1 A.3 h., below.
(D) Prepare and submit the implementation plan described in Section 2.1 A.3 g., below, to the Division and keep it up to date.
(E) Submit semiannual compliance reports to the Division as specified in Section2.1 A.3 p., below.

ii. *Compliant materials option:*
For each open molding operation complying using the compliant materials option, compliance must be demonstrated by performing the steps in Section 2.1 A.3 f.ii(A) through (D), below:
(A) Use the methods specified in Section 2.1 A.3 m., below, to determine the organic HAP content of resins and gel coats.
(B) Complete the calculations described in Section 2.1 A.3 i., below, to show that the weighted-average organic HAP content does not exceed the limit specified in Table 2 40 CFR Part 63, Subpart VVVV (see Section 2.1 A.3 e.iii, above).
(C) Keep records as specified in Section 2.1 A.3 f.ii(C)(1) through (4), below, for each resin and gel coat.
(1) Hazardous air pollutant content.
(2) Application method for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.
(3) Amount of material used per month. This record is not required for an operation if all materials used for that operation comply with the organic HAP content requirements.
(4) Calculations performed, if required, to demonstrate compliance based on weighted-average organic HAP content as described in Section 2.1 A.3 i., below.
(D) Submit semiannual compliance reports to the Division as specified in Section 2.1 A.3 p., below.

iii. *Add-on control option*
For those open molding operations and materials complying using an add-on control device, you must demonstrate compliance by performing the steps in Section 2.1 A.3 iii(A) through iii(E) below.

(A) Conduct a performance test of the control device as specified in 63.5719 and 63.5722 to demonstrate initial compliance.
(B) Use the performance test results to determine control device parameters to monitor after the performance test as specified in 63.5725.
(C) Comply with the operating limits specified in 63.5715 and the control device and emission capture system monitoring requirements specified in 63.5725 to demonstrate continuous compliance.
(D) Keep the records specified in 63.5767.
(E) Submit to the Administrator the notifications and reports specified in 63.5761 and 63.5764.

**Implementation Plan for Open Molding Operations** [40 CFR 63.5707]

g. i. The Permittee shall prepare an implementation plan for all open molding operations that shows compliance by using the emissions averaging option described in Section 2.1 A.3 h., below.
ii. The implementation plan must describe the steps that will be taken to bring the open molding operations covered by this subpart into compliance. For each operation included in the emissions average, the Permittee's implementation plan must include the elements listed in Section 2.1 A.3 g.ii(A) through (C), below:
(A) A description of each operation included in the average.
(B) The maximum organic HAP content of the materials used, the application method used (if any atomized resin application methods are used in the average), and any other methods used to control emissions.
(C) Calculations showing that the operations covered by the plan will comply with the open molding emission limit specified in Section 2.1 A.3 b., above.
iii. The Permittee must submit the implementation plan to the Division with the notification of compliance status specified in Section 2.1 A.3 p.(viii), below.
iv. The Permittee must keep the implementation plan on site and provide it to the Division when asked.
v. If the Permittee revises the implementation plan, the revised plan must be submitted with the next semiannual compliance report specified in Section 2.1 A.3 p., below.

**Demonstrating Compliance Using Emissions Averaging** [40 CFR 63.5710]

h. i. Compliance using the emissions averaging option is demonstrated on a 12-month rolling-average basis and is determined at the end of every month (12 times per year).
ii. At the end of the twelfth month after the Permittee's compliance date and at the end of every subsequent month, use Equation 2 to demonstrate that the organic HAP emissions from those operations included in the average do not exceed the emission limit in Section 2.1 A.3 b., above, calculated for the same 12-month period. (Include terms in Equations 1 and 2 for only those operations and materials included in the average.)

$$E = [(PV_R)(M_R) + (PV_{PG})(M_{PG}) + (PV_{CG})(M_{CG}) + (PV_{TR})(M_{TR}) + (PV_{TG})(M_{TG})]$$
(Equation 2)

Where:

$E$ = Organic HAP emissions calculated using MACT model point values for each operation included in the average, kilograms.
$PV_R$ = Weighted-average MACT model point value for production resin used in the past 12 months, kilograms per megagram.
$M_R$ = Mass of production resin used in the past 12 months, megagrams.
$PV_{PG}$ = Weighted-average MACT model point value for pigmented gel coat used in the past 12 months, kilograms per megagram.
$M_{PG}$ = Mass of pigmented gel coat used in the past 12 months, megagrams.
$PV_{CG}$ = Weighted-average MACT model point value for clear gel coat used in the past 12 months, kilograms per megagram.
$M_{CG}$ = Mass of clear gel coat used in the past 12 months, megagrams.
$PV_{TR}$ = Weighted-average MACT model point value for tooling resin used in the past 12 months, kilograms per megagram.
$M_{TR}$ = Mass of tooling resin used in the past 12 months, megagrams.
$PV_{TG}$ = Weighted-average MACT model point value for tooling gel coat used in the past 12 months, kilograms per megagram.
$M_{TG}$ = Mass of tooling gel coat used in the past 12 months, megagrams.

iii. At the end of every month, use Equation 3 to compute the weighted-average MACT model point value for each open molding resin and gel coat operation included in the average.

$$PV_{OP} = \frac{\sum_{i=1}^{n} M_i PV_i}{\sum_{i=1}^{n} M_i}$$

(Equation 3)

Where:

$PV_{OP}$ = weighted-average MACT model point value for each open molding operation ($PV_R$, $PV_{PG}$, $PV_{CG}$, $PV_{TR}$, and $PV_{TG}$) included in the average kilograms of HAP per megagram of material applied.

$M_i$ = mass of resin or gel coat i used within an operation in the past 12 months, megagrams.

$n$ = number of different open molding resins and gel coats used within an operation in the past 12 months.

$PV_i$ = the MACT model point value for resin or gel coat *i* used within an operation in the past 12 months, kilograms of HAP per megagram of material applied.

iv. The equations contained in Table 3 to 40 CFR Part 63, Subpart VVVV (shown below) must be used to calculate the MACT model point value ($PV_i$) for each resin and gel coat used in each operation in the past 12 months.

**Table 3 to Subpart VVVV of Part 63 –**
**MACT Model Point Value Formulas for Open Molding Operations[1]**

| For this operation | And this application method | Use this formula to calculate the MACT model plant value for each resin and gel coat |
|---|---|---|
| 1. Production resin, tooling resin | a. Atomized | $0.014 \times (\text{Resin HAP\%})^{2.425}$ |
| | b. Atomized, plus vacuum bagging with roll-out | $0.01185 \times (\text{Resin HAP\%})^{2.425}$ |
| | c. Atomized, plus vacuum bagging without roll-out | $0.00945 \times (\text{Resin HAP\%})^{2.425}$ |
| | d. Nonatomized | $0.014 \times (\text{Resin HAP\%})^{2.275}$ |
| | e. Nonatomized, plus vaccum bagging with roll-out | $0.0110 \times (\text{Resin HAP\%})^{2.275}$ |
| | f. Nonatomized, plus vacuum bagging without roll-out | $0.0076 \times (\text{Resin HAP\%})^{2.275}$ |
| 2. Pigmented gel coat, clear gel coat, tooling gel coat. | All methods | $0.445 \times (\text{Gel coat HAP\%})^{1.675}$ |

v. If the organic HAP emissions, as calculated Section 2.1 A.3 h.ii, above, are less than the organic HAP limit calculated in Section 2.1 A.3 b., above, for the same 12-month period, then the Permittee is in compliance with the emission limit in Section 2.1 A.3 b., above, for those operations and materials included in the average.

**Demonstrating Compliance Using Compliant Materials** [40 CFR 63.5713]

i. i. Compliance using the organic HAP content requirements listed in 40 CFR Part 63, Subpart VVVV, Table 2, (see Section 2.1 A.3 e.iii, above) is based on a 12-month rolling average that is calculated at the end of every month. If the Permittee is using filled material (production resin or tooling resin), the Permittee must comply according to the procedure described in Section 2.1 A.3 j, below.

[1] Equations calculate MACT model point value in kilograms of organic HAP per megagrams of resin or gel coat applied. The equations for vacuum bagging with roll-out are applicable when a facility rolls out the applied resin and fabric prior to applying the vacuum bagging materials. The equations for vacuum bagging without roll-out are applicable when a facility applies the vacuum bagging materials immediately after resin application without rolling out the resin and fabric. HAP% = organic HAP content as supplied, expressed as a weight-percent value between 0 and 100 percent.

ii. At the end of the twelfth month after the Permittee's compliance date and at the end of every subsequent month, review the organic HAP contents of the resins and gel coats used in the past 12 months in each operation. If all resins and gel coats used in an operation have organic HAP contents no greater than the applicable organic HAP content limits in Table 2, as contained in 40 CFR Part 63, Subpart VVVV, then the Permittee is in compliance with the emission limit specified in Section 2.1 A.3 b., above for that 12-month period for that operation. In addition, the Permittee does not need to complete the weighted- average organic HAP content calculation contained in Section2.1 A.3 i.iii, below, for that operation.

iii. At the end of every month, the Permittee shall use Equation 4 to calculate the weighted-average organic HAP content for all resins and gel coats used in each operation in the past 12 months.

$$\text{Weighted-Average HAP Content (\%)} = \frac{\sum_{i=1}^{n} M_i HAP_i}{\sum_{i=1}^{n} M_i}$$

(Equation 4)

Where:

$M_i$ = mass of open molding resin or gel coat i used in the past 12 months in an operation, megagrams.

$HAP_i$ = Organic HAP content, by weight percent, of open molding resin or gel coat i used in the past 12 months in an operation. Use the methods in Section 2.1 A.3 m., below, to determine organic HAP content.

$n$ = number of different open molding resins or gel coats used in the past 12 months in an operation.

iv. If the weighted-average organic HAP content does not exceed the applicable organic HAP content limit specified in Table 2 as contained in 40 CFR Part 63 Subpart VVVV, then the Permittee is in compliance with the emission limit specified in Section 2.1 A.3 b., above.

**Demonstrating Compliance if Using Filled Resins** [40 CFR 63.5714]

j. i. If the Permittee uses a filled production resin or filled tooling resin, the Permittee must demonstrate compliance for the filled material on an as-applied basis using Equation 5:

$$PV_F = PV_U \frac{100 - \%Filler}{100}$$

(Equation 5)

Where:

$PV_F$ = The as-applied MACT model point value for a filled production resin or tooling resin, kilograms organic HAP per megagram of filled material.

$PV_u$ = The MACT model point value for the neat (unfilled) resin, before filler is added, as calculated using the formulas in Table 3 to 40 CFR Part 63 Subpart VVVV (see Section 2.1 A.3 h.iv, above).

*% Filler* = The weight-percent of filler in the as applied filled resin system.

ii. If the filled resin is used as a production resin and the value of $PV_F$ calculated by Equation 5 of this condition does not exceed 46 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.

iii. If the filled resin is used as a tooling resin and the value of $PV_F$ calculated by Equation 5 does not exceed 54 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.

iv. If the Permittee includes filled resin in the emissions averaging procedure described in Section 2.1 A.3 h., above, then use the value of $PV_F$ calculated using Equation 5 for the value of $PV_i$ in Equation 3, above.

**Demonstrating Compliance with the Resin and Gel Coat Application Equipment Cleaning Standards** [40 CFR 63.5737]

k. i. Determine and record the organic HAP content of the cleaning solvents subject to the standards specified in Section 2.1 A.3 d., above, using the methods specified in Section 2.1 A.3 m., below.

ii. If the Permittee recycles cleaning solvents on site, the Permittee may use documentation from the solvent manufacturer or supplier or a measurement of the organic HAP content of the cleaning solvent as originally obtained from the solvent supplier for demonstrating compliance, subject to the conditions in Section 2.1 A.3 m., below, for demonstrating compliance with organic HAP content limits.

iii. At least once per month, the Permittee must visually inspect any containers holding organic HAP-containing solvents used for removing cured resin and gel coat to ensure that the containers have covers with no visible gaps. Keep records of the monthly inspections and any repairs made to the covers.

**Demonstrating Compliance with Carpet and Fabric Adhesive Operations** [40 CFR 63.5740]

l. The Permittee must use carpet and fabric adhesives that contain no more than 5 percent organic HAP by weight. To demonstrate compliance with this emission limit, the Permittee shall determine and record the organic HAP content of the carpet and fabric adhesives using the methods in Section 2.1 A.3 m., below.

**Determine the Organic HAP Content of Materials** [40 CFR 63.5758]

m. *Determine the organic HAP content for each material used.* To determine the organic HAP content for each material used in the Permittee's open molding resin and gel coat operations, carpet and fabric adhesive operations, or aluminum recreational boat surface coating operations, the Permittee must use one of the options in Section 2.1 A.3 m.i through m.vi, below.

i. *Method 311 (appendix A to 40 CFR part 63).* The Permittee may use Method 311 for determining the mass fraction of organic HAP. Use the procedures specified in Section 2.1 A.3 m.i(A) and (B), below, when determining organic HAP content by Method 311.

(A) Include in the organic HAP total each organic HAP that is measured to be present at 0.1 percent by mass or more for Occupational Safety and Health Administration (OSHA)-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is measured to be 0.5 percent of the material by mass, the Permittee does not need to include it in the organic HAP total. Express the mass fraction of each organic HAP the Permittee measures as a value truncated to four places after the decimal point (for example, 0.1234).

(B) Calculate the total organic HAP content in the test material by adding up the individual organic HAP contents and truncating the result to three places after the decimal point (for example, 0.123).

ii. *Method 24 (appendix A to 40 CFR part 60).* The Permittee may use Method 24 to determine the mass fraction of non-aqueous volatile matter of aluminum coatings and use that value as a substitute for mass fraction of organic HAP.

iii. *ASTM D1259-85 (Standard Test Method for Nonvolatile Content of Resins).* The Permittee may use ASTM D1259-85 (available for purchase from ASTM) to measure the mass fraction of volatile matter of resins and gel coats for open molding operations and use that value as a substitute for mass fraction of organic HAP.

iv. *Alternative method*. The Permittee may use an alternative test method for determining mass fraction of organic HAP if the Permittee obtains prior approval by EPA Region IV. The Permittee must follow the procedure in 40 CFR 63.7(f) to submit an alternative test method for approval.

v. *Information from the supplier or manufacturer of the material*. The Permittee may rely on information other than that generated by the test methods specified in Section 2.1 A.3 m.i through m.iv, above, such as manufacturer's formulation data, according to Section 2.1 A.3 m.v(A) through (C), below:

(A) Include in the organic HAP total each organic HAP that is present at 0.1 percent by mass or more for OSHA-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is 0.5 percent of the material by mass, the Permittee does not have to include it in the organic HAP total.

B) If the organic HAP content is provided by the material supplier or manufacturer as a range, then the Permittee must use the upper limit of the range for determining compliance. If a separate measurement of the total organic HAP content using the methods specified in Section 2.1 A.3 m.i through m.iv, above, of this condition exceeds the upper limit of the range of the total organic HAP content provided by the material supplier or manufacturer, then the Permittee must use the measured organic HAP content to determine compliance.

(C) If the organic HAP content is provided as a single value, the Permittee may assume the value is a manufacturing target value and actual organic HAP content may vary from the target value. If a separate measurement of the total organic HAP content using the methods specified in Section 2.1 A.3 m.i through m.iv, above, less than 2 percentage points higher than the value for total organic HAP content provided by the material supplier or manufacturer, then the Permittee may use the provided value to demonstrate compliance. If the measured total organic HAP content exceeds the provided value by 2 percentage points or more, then the Permittee must use the measured organic HAP content to determine compliance.

vi. *Solvent blends*. Solvent blends may be listed as single components for some regulated materials in certifications provided by manufacturers or suppliers. Solvent blends may contain organic HAP which must be counted toward the total organic HAP content of the materials. When detailed organic HAP content data for solvent blends are not available, the Permittee may use the values for organic HAP content that are listed in Table 5 or 6 as contained in 40 CFR Part 63 Subpart VVVV. The Permittee may use Table 6 as contained in 40 CFR Part 63 Subpart VVVV, only if the solvent blends in the materials the Permittee use do not match any of the solvent blends in Table 5 as contained in 40 CFR Part 63 Subpart VVVV, and the Permittee know only whether the blend is either aliphatic or aromatic. However, if test results indicate higher values than those listed in Table 5 or 6 as contained in 40 CFR Part 63 Subpart VVVV, then the test results must be used for determining compliance.

The Permittee shall be deemed in noncompliance with the Open Molding Emission Limit general requirements of 40 CFR 63.5704 if conditions f. through m are not met.

**Recordkeeping** [15A NCAC 02Q .0508(f); 40 CFR 63.5767; 40 CFR 63.5770]

n. The Permittee shall keep the following records:
   i. A copy of each notification and report submitted to comply with 40 CFR Part 63, Subpart VVVV.
   ii. A copy of all documentation supporting any notification or report that the Permittee submitted.
   iii. if the facility is not controlled by an add-on control device (i.e., you are complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), you must keep the records specified in Section 2.1 A.3 iii(A) through (C)
      A. The total amounts of open molding production resin, pigmented gel coat, clear gel coat, tooling resin, and tooling gel coat used per month and the weighted-average organic HAP contents for each operation, expressed as weight-percent. For open molding production resin and tooling resin, the Permittee must also record the amounts of each applied by atomized and nonatomized methods.B. The total amount of each aluminum coating used per month (including primers, top coats, clear coats, thinners, and activators) and the weighted-average organic HAP content as determined in 40 CFR 63.5752.C. The total amount of each aluminum wipe down solvent used per month and the weighted-average organic HAP content as determined in 40 CFR 63.5749.
   iv If your facility has an add-on control device, you must keep the records of any failures to meet the applicable standards, including the date, time, and duration of the failure; a list of the affected add-on control device and actions taken to minimize emissions, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions; control device performance tests; and continuous monitoring system performance evaluations.

o. The Permittee shall keep records in a readily available form (written or electronic format) so that they can be easily inspected and reviewed. Records shall be kept for at least five years following the date the record was generated. Records must be kept on-site for at least two years following the date the record was generated (and can be kept off-site for the remaining three years).

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if records are not kept according to Section 2.1 A.3 n. and o., above.

**Reporting** [15A NCAC 02Q .0508(f); 40 CFR 63.5764; 40 CFR 63.5761]

p. The Permittee shall submit a semiannual compliance report that covers the period from 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. Each compliance report must be postmarked or electronically submitted no later than 60 days from the end of the semiannual reporting period. At a minimum, the compliance report shall contain:
   i. Company name and address.
   ii. A statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the report.
   iii. The date of the report and the beginning and ending dates of the reporting period.
   iv. A description of any changes in the manufacturing process since the last compliance report.
   v. A statement or table showing, for each regulated operation, the applicable organic HAP content limit, application equipment requirement, or MACT model point value averaging provision with which the Permittee is complying. The statement or table must also show the actual weighted-average organic HAP content or weighted-average MACT model point value (if applicable) for each operation during each of the rolling 12-month averaging periods that end during the reporting period.
   vi. If the Permittee was in compliance with the emission limits and work practice standards during the reporting

period, the Permittee must include a statement to that effect.

vii. If the Permittee deviated from an emission limit or work practice standard during the reporting period, the Permittee must also include the following information in the semiannual compliance report:
   (A) A description of the operation involved in the deviation.
   (B) The quantity, organic HAP content, and application method (if relevant) of the materials involved in the deviation.
   (C) A description of any corrective action the Permittee took to minimize the deviation and actions the Permittee has taken to prevent it from happening again.
   (D) A statement of whether or not the Permittee was in compliance for the 12-month averaging period that ended at the end of the reporting period.

viii. The Permittee must submit all of the notifications in Table 7 as contained in 40 CFR Part 63 Subpart VVVV, that apply to the Permittee by the dates in the table. The notifications are described more fully in 40 CFR Part 63, A "General Provisions," referenced in Table 8 as contained in 40 CFR Part 63 Subpart VVVV.

ix.. If the Permittee changes any information submitted in any notification, the Permittee must submit the changes in writing to the Division within 15 calendar days after the change. The Permittee may switch between the compliance options (Emissions Averaging and Compliant Materials) in 40 CFR Part 63, Subpart VVVV. In all cases, the Permittee shall submit notification to change options, in writing, to the Division of Air Quality, 15 days prior to changing compliance options.

## B. One diesel-fired peak shaving generator (ID No. ES-I4) with associated diesel oxidation catalyst (ID No. CD-I4)

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

| Regulated Pollutant | Limits/Standards | Applicable Regulation |
|---|---|---|
| Sulfur dioxide | 2.3 pounds per million Btu heat input | 15A NCAC 02D .0516 |
| Visible emissions | 20 percent opacity | 15A NCAC 02D .0521 |
| Carbon monoxide | Maximum Achievable Control Technology<br>See Section 2.1 B.3. | 15A NCAC 02D .1111<br>(40 CFR Part 63, Subpart ZZZZ) |
| Odor | State-enforceable only<br>See Section 2.2 A.1 | 15A NCAC 02D .1806 |
| Volatile Organic Compounds | See Section 2.2 A.2 | 15A NCAC 02Q .0317<br>(PSD Avoidance) |

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

a. Emissions of sulfur dioxide from the engine (**ID No. ES-I4**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

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

b. If emission 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.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, or reporting is required for sulfur dioxide emissions from the firing of diesel in this source (**ID No. ES-I4**).

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

a. Visible emissions from this source **(ID No. ES-I4)** 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 02D .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 Sections 2.1 B.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, or reporting is required for visible emissions from the firing of diesel in this source (**ID No. ES-I4**).

### 3. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (40 CFR Part 63, Subpart ZZZZ)

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

a. For this emission source (**ID No. ES-I4;** stationary RICE with a site rating of more than 500 brake HP located at a major 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 requirements upon startup of these sources.

**General Provisions** [40 CFR 63.6665]

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

**Notifications** [40 CFR 63.6645]

e. The Permittee shall submit all the notifications in the following regulations that apply by the dates specified:
   i. 40 CFR 63.7(b) [performance testing] and (c) [quality assurance program];
   ii. 40 CFR 63.8(e) [performance evaluation of CPMS], (f)(4) and (f)(6) [alternative monitoring methods]; and
   iii. 40 CFR63.9(b) through (e), and (g) and (h) [initial notifications]. [40 CFR 63.6645(a)(3)]

f. The Permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 40 CFR 63.7(b)(1). [40 CFR 63.6645(g)]

g. For each performance test, the Permittee shall submit a Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to 40 CFR 63.9(h)(2)(ii) and 63.10(d)(2). [40 CFR 63.6630(c), 63.6645(h)]
The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the notification requirements in conditions Section 2.1. B.3.e. through g. are not met.

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

h. 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)]

i. 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)]
The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions h. and i. are not met.

**Emissions and Operating Limitations** [15A NCAC 02Q .0508(b)]

j. The Permittee shall reduce carbon monoxide (CO) emissions from this RICE by 70 percent or more using an oxidation catalyst or by limiting concentration of formaldehyde in the stationary RICE exhaust to 580ppbvd or less at 15 percent of $O_2$. [40 CFR 63.6600(d), Table 2a]

k. The Permittee shall maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 CFR 63.6600(d), Table 2b]

l. The Permittee shall maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the most recent performance test. [40 CFR 63.6600(d), Table 2b]

m. During periods of startup of the RICE, 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 63.6625(h)]
The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions j. through m. are not met.

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

n. The Permittee shall conduct initial and subsequent performance tests to demonstrate compliance with the limitations in conditions j - l. [63.6630(a) & (b), Table 5]

o. The Permittee has conducted the initial performance test (test reference number 2013-224ST). [40 CFR 63.6610(a)]

p. The Permittee shall conduct subsequent performance tests semiannually. After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests. [40 CFR 63.6615, Table 3]

q. Each performance test shall be conducted according to the requirements of 40 CFR 63 Table 4. If a non-operational stationary RICE is subject to performance testing, the Permittee does not need to start up the engine solely to conduct the performance test. The Permittee can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE. [40 CFR 63.6620(b)(1)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions n. through q. are not met.

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

r. The Permittee shall install, operate, and maintain continuous parameter monitoring systems (CPMS) to monitor the catalyst inlet temperature for each catalyst and reduce the temperature data to 4- hour rolling averages. The Permittee shall maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature in condition k. [40 CFR 63 Table 5, 63.6640(a), Table 6]

s. The Permittee shall measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test per condition l. [40 CFR 63 Table 5, 63.6640(a), Table 6]

t. The Permittee shall install, operate, and maintain each CPMS according to the requirements in paragraphs Section 2.1 B.3 t (1) through (6):

   (1) The Permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of 40 CFR 63.6625 and in 40 CFR 63.8(d).
   (2) The Permittee shall install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan.
   (3) The CPMS must collect data at least once every 15 minutes (see also 40 CFR 63.6635).
   (4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.
   (5) The Permittee shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site-specific monitoring plan at least annually.
   (6) The Permittee shall conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan.

   [40 CFR 63.6625(b)]

u. The Permittee shall monitor and collect data as follows:

   i. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the Permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
   ii. The Permittee shall not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The Permittee shall, however, use all the valid data collected during all other periods.

   [40 CFR 63.6635]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions r. through u. are not met.

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

v. The Permittee shall keep records of the following monitoring data:

   i. catalyst(s) inlet temperature data including the 4-hour rolling averages; and
   ii. the monthly measurements of the pressure drop across the catalyst(s).

   [40 CFR 63.6655(d)]

w. The Permittee shall keep the following:
   i. A copy of each notification and report that was submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).
   ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
   iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).
   iv. Records of all required maintenance performed on the air pollution control and monitoring equipment.
   v. Records of actions taken during periods of malfunction to minimize emissions in accordance with condition i. 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)]

x. For each inlet catalyst temperature CPMS, the Permittee shall keep the following records:
   i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi).
   ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3).
   iii. Requests for alternatives to the relative accuracy test for CPMS as required in 40 CFR 63.8(f)(6)(i), if applicable.

   [40 CFR 63.6655(b)]

y. The Permittee shall keep each record in a form suitable and readily accessible for expeditious review 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]
   The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions v. through y. are not met.

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

z. The permittee shall submit a compliance report semiannually postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit must be clearly identified. [40 CFR 63.6650(b)(5) and 63.6650(f)]

aa. The compliance report must contain:
   i. Company name and address.
   ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report; and
   iii. Date of report and beginning and ending dates of the reporting period.
   iv. If a malfunction occurred during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with condition i., including actions taken to correct a malfunction.
   v. If there are no instances of noncompliance from any emission or operating limitations that apply, a statement that there were no instances of noncompliance from the emission or operating limitations during the reporting period.
   vi. If there were no periods during which the CPMS was out-of-control, as specified in 40 CFR63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period.

   [40 CFR 63.6650(c)]

bb. For each instance of noncompliance from an emission or operating limitation that occurs for the stationary RICE where the Permittee is not using a CMS to comply with the emission or operating limitations, the compliance report must contain the information in condition aa.i. through iv. and the following information:
   i. The total operating time of the stationary RICE for which the instance of noncompliance occurred during the reporting period.
   ii. Information on the number, duration, and cause of instances of noncompliance (including unknown cause, if applicable), as applicable, and the corrective action taken.

   [40 CFR 63.6650(d)]

cc. For each instance of noncompliance from an emission or operating limitation occurring for a stationary RICE where the Permittee is using a CMS to comply with the emission and operating limitations in this subpart, the Permittee shall include information in condition aa.i. through iv. and the following information:
   i. The date and time that each malfunction started and stopped.
   ii. The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

iii. The date, time, and duration that each CMS was out-of-control, including the information in 40 CFR 63.8(c)(8).
iv. The date and time that each instance of noncompliance started and stopped, and whether each instance of noncompliance occurred during a period of malfunction or during another period.
v. A summary of the total duration of the instances of noncompliance during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
vi. A breakdown of the total duration of the instances of noncompliance during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
vii. A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
viii. An identification of each parameter and pollutant that was monitored at the stationary RICE.
ix. A brief description of the stationary RICE.
x. A brief description of the CMS.
xi. The date of the latest CMS certification or audit.
xii. A description of any changes in CMS, processes, or controls since the last reporting period.

[40 CFR 63.6650(e)]

The Permittee shall be deemed in noncompliance with the reporting requirements of 15A NCAC 2D .1111 if conditions z. through cc. are not met.

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

### A. Facility-wide affected sources

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

| Pollutant | Limits/Standards | Applicable Regulation |
|---|---|---|
| Odor | State-enforceable only<br>Odorous emissions must be controlled. | 15A NCAC 02D .1806 |
| Volatile organic compounds | Less than 250 tons per consecutive 12-month period | 15A NCAC 02Q .0317 (PSD Avoidance) |

**State-enforceable only**

**1. 15A NCAC 2D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS**

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.

**2. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS**
**(Avoidance of 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION)**

a. In order to avoid applicability of this regulation, facility-wide emissions shall be less than 250 tons of volatile organic compounds (VOC) per consecutive 12-month period.

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

b. Calculations of VOC emissions per month shall be made at the end of each month. VOC emissions shall be determined by multiplying the total amount of each type of VOC-containing material consumed during the month by the VOC content of the material by the emission factor for that material as detailed in the table below. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the amounts of VOC containing materials are not monitored and recorded.

| Pollutant | Material | Emission Factor (lb emitted/lb. contained) |
|---|---|---|
| Styrene | Putty | 7.5 |
| Styrene | Gel coat (spray layup) | 50.4 |
| Styrene | Resin | 11.9 |
| Styrene | Patch Aid | 31 |
| Methlyenediphenyl Diisocyanate | Foam | 1 |
| Methyl Methacrylate | Gel coat | 78.6 |
| Toluene | Glue/Cleaner | 100 |
| Methyl Ethyl Ketone | Catalyst | 5 |
| All other VOCs | All Materials | 100 |

c. Calculations and the total amount of VOC emissions shall be recorded monthly in a logbook (written or electronic format). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the VOC emissions exceed the limit in 2.2 A.2.a above.

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

d. The Permittee shall submit a semi-annual summary report, acceptable to the Regional Air Quality Supervisor, of monitoring and recordkeeping activities required by Section 2.2 A.2.b and c, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. The report shall contain the monthly VOC

emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months. All instances of deviations from the requirements of this permit must be clearly identified.

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

| Emission Source ID No. | Emission Source Description[1,2] |
|---|---|
| I-1 | Resin and gel coat storage |
| I-2 | Mold release, bonding, and contact glue |
| I-3 | Mold release, bonding, and contact glue |
| I-4 | Assembly Building |

[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.”

# SECTION 4 - GENERAL CONDITIONS (version 8.0, 07/10/2024)

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 the 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, one copy 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 shutdown 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 shutdown shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

J. **RESERVED**

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 .051