



North Carolina Department of Environment and Natural Resources

Division of Air Quality

Sheila C. Holman
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

date, 2011

Mr. Ken Fowler
Plant Manager
Berenfield Containers (S.E.), Ltd.
12180 University City Blvd.
Harrisburg, North Carolina 28075

Dear Mr. Fowler:

Subject: Air Permit No. **05577T15**
Facility ID: 1300027
Berenfield Containers (S.E.), Ltd.
Harrisburg, North Carolina
Cabarrus County
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for **renewal** of your Title V permit received **July 12, 2011**, we are forwarding herewith Air Quality Permit No. **05577T15** to Berenfield Containers (S.E.), Ltd., 12180 University City Blvd., Harrisburg, North Carolina authorizing the construction and operation of the emission sources(s) and associated air pollution devices specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 2Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

Permitting Section

1641 Mail Service Center, Raleigh, North Carolina 27699-1641
2728 Capital Blvd., Raleigh, North Carolina 27604
Phone: 919-715-6235 / FAX 919-733-5317 / Internet: www.ncair.org

One
North Carolina
Naturally

Mr. Ken Fowler

date, 2011

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If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of GS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of GS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in GS 143-215.114A and 143-215.114B.

This Air Quality Permit shall be effective from date, 2011 until date, 2016, 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 Mark J. Cuilla, E.I.T., at (919) 733-1499 or Mark.Cuilla@ncdenr.gov.

Sincerely yours,

Donald R. van der Vaart, PhD., P.E., J.D.
Chief

Enclosure

c: Gregg Worley, EPA Region 4 (with review)
Mooresville Regional Office
Central Files

ATTACHMENT to cover letter for Permit No. 05577T15

Changes to Existing Title V Air Permit

Page	Section	Description of Change
Attachment	Insignificant Activities	-removed parts washers (ID Nos. IPW-1 and IW-1) to the list of permitted equipment per the renewal application -added twelve space heaters per application -added shell asterisk language
Cover	-	-amended permit revision numbers and all dates
TOC	-	-added reference to Section 2.3
All	Header	-amended permit revision number
3	Equipment Table	-removed sources (ID Nos. F-01 and ES-INK) per renewal application -added parts washer (ID No. PW-1) per renewal application -added combustion source equipment description clarifications
4	2.1 A 2.1 A (table)	-added combustion source equipment description clarifications -corrected RACT rule reference
5	2.1 A.1.b 2.1 A.1.c	-corrected testing rule cross reference -updated shell particulate standard monitoring/recordkeeping language
6	2.1 A.2.b 2.1 A.3.c 2.1 A.3.d	-corrected testing rule cross reference -corrected testing rule cross reference -updated shell visible emission monitoring language
7	2.1 B (table)	-corrected RACT rule reference
8-10	2.1 C	-added new section for parts washer including standards for particulate (2D .0503), sulfur dioxide (2D .0516), visible emissions (2D .0521), and hazardous air pollutants (2D .1109)
10	2.2 A (table)	-corrected RACT rule reference -clarified applicable regulatory requirements
11	2.2 A.2	-clarified RACT requirements
13	2.2 A.6	-corrected paragraph listings
14	2.2 A.7.a 2.2 A.7.b 2.2 A.7.c	-added ID numbers -added ID numbers -added ID numbers and corrected cross reference
23	2.2 A.7.e	-added ID numbers
27	2.3	-added permit shield for non-applicable requirements (15A NCAC 2D .0967)
28-38	General Conditions	-updated shell general conditions (v3.5)
39	List of Acronyms	-added acronyms for CAIR and NAA

ATTACHMENT to Permit No. 05577T15

Insignificant Activities per 15A NCAC 2Q .0503(8)

Emission Source ID	Description
IG-1	Steel sheet grinder
ISH1 through ISH9	Nine direct natural gas-fired space heaters (0.03 million Btu per hour maximum heat input capacity, each)
ISH10 through ISH12	Three direct natural gas-fired space heaters (0.25 million Btu per hour maximum heat input capacity, each)

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
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 2D .1100 "Control of Toxic Air Pollutants" or 2Q .0711 "Emission Rates Requiring a Permit".

State of North Carolina,
Department of Environment,
and Natural Resources

Division of Air Quality



AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
05577T15	05577T14	date, 2011	date, 2016

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

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

Permittee: **Berenfield Containers (S.E.), Ltd.**

Facility ID: **1300027**

Facility Site Location: **12180 University City Blvd.**
City, County, State, Zip: **Harrisburg, Cabarrus County, North Carolina 28075**
Mailing Address: **12180 University City Blvd.**
City, State, Zip: **Harrisburg, North Carolina 28075**

Application Number: **1300027.11A**
Complete Application Date: **July 12, 2011**

Primary SIC Codes: **3412**

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

Permit issued this the xxxx day of xxxxx, 2011.

Donald R. van der Vaart, PhD., P.E., J.D., Chief, Air Permits Section
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

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-01 (MACT, Subpart MMMM; RACT)	One lids/parts spray painting operation including: -one parts lining/painting work station equipped with dry filter-type controls (CD-02) in line with one direct natural gas-fired lining drying oven (4.11 million Btu per hour maximum heat input capacity; OV-02)	NA	NA
ES-02 (MACT, Subpart MMMM; RACT)	One steel drum spray painting operation including: -one shell lining paint spray booth equipped with an overspray paint reclaiming (CD-03) and dry filter-type controls (CD-04) in line with one direct natural gas-fired lining drying oven (4.11 million Btu per hour maximum heat input capacity; OV-02)	NA	NA
ES-05 (MACT, Subpart MMMM; RACT)	One steel drum spray painting operation including: -one drum paint spray booth equipped with dry filter-type controls (CD-07) in line with one direct natural gas-fired painting drying oven (5 million Btu per hour maximum heat input capacity; OV-04)	NA	NA
SILK (MACT, Subpart MMMM; RACT)	One silk screen/stenciling machine installed on a steel drum painting operation	NA	NA
PW-1* (2D .1109 Case-by-Case MACT)	One two stage parts washer with indirect natural gas-fired burner (8 million Btu per hour maximum heat input capacity) and direct natural gas-fired dryer (5 million Btu per hour maximum heat input capacity)	NA	NA

* The permit shield applies to this source for the Section 2D .0900 (RACT) rules as emissions are less than 15 pounds per day as per 15A NCAC 2D .0902(b)(1).

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, record keeping, and reporting requirements as specified herein:

- A. One lids/parts spray painting operation including one parts lining/painting work station equipped with dry filter-type controls in line with one **direct** natural gas-fired lining drying oven (ID No. ES-01)**
- One steel drum spray painting operation including one shell lining paint spray booth equipped with an overspray paint reclaimer and dry filter-type controls in line with one **direct** natural gas-fired lining drying oven (ID No. ES-02)**
- One steel drum spray painting operation including dry filter-type controls in line with one **direct** natural gas-fired painting drying oven (ID No. ES-05)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10 \times P^{0.67}$ Where: E = allowable emission rate in pounds per hour P = process weight in tons per hour	15A NCAC 2D .0515
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	(ID Nos. ES-01 and ES-02 only) 40 percent opacity (ID No. ES-05 only) 20 percent opacity	15A NCAC 2D .0521
Volatile organic compounds	See Section 2.2 A.1	15A NCAC 2Q .0317 (PSD Avoidance)
Volatile organic compounds	See Section 2.2 A.2	15A NCAC 2D .0951
Volatile organic compounds	See Section 2.2 A.3	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only See Section 2.2 A.4	15A NCAC 2D .1100
Odorous emissions	State-enforceable only See Section 2.2 A.5	15A NCAC 2D .1806
Toxic air pollutants	State-enforceable only See Section 2.2 A.6	15A NCAC 2Q .0711
Hazardous air pollutants	See Section 2.2 A.7	15A NCAC 2D .1111 (40 CFR 63, Subpart MMMM)
Toxic air pollutants	State-enforceable only See Section 2.2 A.8	15A NCAC 2Q .0705

1. 15A NCAC 2D .0515: PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES

- a. Emissions of particulate matter from these sources (**ID Nos. ES-01, ES-02, and ES-05**) shall not exceed an allowable emission rate as calculated by the following equation:

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

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

Testing [15A NCAC 2Q .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 2D .0515.

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

- c. Particulate matter emissions from these sources (**ID Nos. ES-01, ES-02, and ES-03**) shall be controlled by the associated dry filters, paint reclaim systems, and adequate ductwork. To assure compliance, the Permittee shall perform inspections and maintenance **as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement shall include the following:**

- i. a weekly inspection of the spray booths' dry filters and paint reclaim systems noting the condition; and
- ii. an annual (for each 12 month period following the initial inspection) inspection of the associated ductwork noting structural integrity.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the filters or paint reclaim systems are not inspected and maintained.

- d. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:

- i. the date and time of each recorded action;
- ii. the results of each inspection;
- iii. the results of any maintenance performed on any filters; and
- iv. any variance from manufacturer's recommendations, if any, and corrections made.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the records are not maintained.

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

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

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

- a. Emissions of sulfur dioxide from the drying ovens associated with these sources (**ID Nos. ES-01, ES-02, and ES-05**) 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 2Q .0508(f)]

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

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

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of natural gas in the drying ovens associated with these sources (**ID Nos. ES-01, ES-02, and ES-05**).

3. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from these sources (**ID Nos. ES-01 and ES-02**) shall not be more than 40 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 40 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 90 percent opacity.
- b. Visible emissions from this source (**ID No. ES-05**) 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 2Q .0508(f)]

- c. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.3.a and b above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

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

- d. To assure compliance, once a month the Permittee shall observe the emission points of these sources (**ID Nos. ES-01, ES-02, and ES-05**) for any visible emissions above normal. The monthly observation must be made for each **month** of the calendar year period 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 sources in accordance with **15A NCAC 2D .2610 (Method 9) for 12 minutes** is below the limit given in **Section 2.1 A.3.a and b** above.

If the above-normal emissions are not corrected per i. above or if the demonstration in ii. above cannot be made, the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0521.

- e. 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 2D .0521 if these records are not maintained.

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

- f. The Permittee shall submit a summary report of the observations 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.

B. One silk screen/stenciling machine installed on a steel drum painting operation (ID No. SILK)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	See Section 2.2 A.1	15A NCAC 2Q .0317 (PSD Avoidance)
Volatile organic compounds	See Section 2.2 A.2	15A NCAC 2D .0951
Volatile organic compounds	See Section 2.2 A.3	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only See Section 2.2 A.4	15A NCAC 2D .1100
Odorous emissions	State-enforceable only See Section 2.2 A.5	15A NCAC 2D .1806
Toxic air pollutants	State-enforceable only See Section 2.2 A.6	15A NCAC 2Q .0711
Hazardous air pollutants	See Section 2.2 A.7	15A NCAC 2D .1111 (40 CFR 63, Subpart MMMM)
Toxic air pollutants	State-enforceable only See Section 2.2 A.8	15A NCAC 2Q .0705

C. One two stage parts washer with indirect natural gas-fired burner and direct natural gas-fired dryer (PW-1)

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	0.60 pounds per million Btu heat input	15A NCAC 2D .0503
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Hazardous air pollutants	Best Combustion Practices	15A NCAC 2D .1109 (CAA 112j)
Volatile organic compounds	See Section 2.2 A.1	15A NCAC 2Q .0317 (PSD Avoidance)
Volatile organic compounds	See Section 2.2 A.3	15A NCAC 2D .0958
Odororous emissions	State-enforceable only See Section 2.2 A.5	15A NCAC 2D .1806
Hazardous air pollutants	See Section 2.2 A.7	15A NCAC 2D .1111 (40 CFR 63, Subpart MMMM)

1. 15A NCAC 2D .0503: PARTICULATES FROM FUEL BURNING INDIRECT HEAT EXCHANGERS

- a. Emissions of particulate matter from the combustion of natural gas that are discharged from the indirect burner of this source (**ID No. PW-1**) shall not exceed 0.60 pounds per million Btu heat input.

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

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0503.

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

- c. No monitoring/recordkeeping/reporting is required for particulate emissions from the firing of natural gas in the indirect burner of this source (**ID No. PW-1**).

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

- a. Emissions of sulfur dioxide from the indirect burner of this source (**ID No. PW-1**) 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 2Q .0508(f)]

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

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

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of natural gas in the indirect burner of this source (**ID No. PW-1**).

3. 15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. PW-1**) 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 2Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 C.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

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

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in this source (**ID No. PW-1**).

4. 15A NCAC 2D .1109: 112j CASE-BY-CASE MACT FOR BOILERS AND PROCESS HEATERS

- a. The Permittee shall use best combustion practices when operating the affected source (**ID No. PW-1**). The initial compliance date for this work practice standard and the associated monitoring/recordkeeping/reporting requirements is [date three years after permit issuance date]. These conditions need not be included on the annual compliance certification until after the initial compliance date.

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

- b. To assure compliance, the Permittee shall perform an annual source inspection and maintenance as recommended by the manufacturer, or as a minimum, the inspection and maintenance requirement shall include the following:
 - i. inspect the burner, and clean or replace any components of the burner as necessary;
 - ii. inspect the flame pattern and make any adjustments to the burner necessary to optimize the flame pattern; and
 - iii. inspect the system controlling the air-to-fuel ration, and ensure that it is correctly calibrated and functioning properly.

The Permittee shall conduct at least one tune-up per calendar year to demonstrate compliance with this requirement. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1109 if the affected source is not inspected and maintained as required above.

- c. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
 - i. the date of each recorded action;
 - ii. the results of each inspection; and
 - iii. the results of any maintenance performed on the source.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1109 if these records are not maintained.

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

- d. No reporting is required for hazardous air pollutants from the firing of natural gas in this source (ID No. PW-1).

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

A. Facility-wide affected sources

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	Less than 250 tons per year	15A NCAC 2Q .0317 (PSD Avoidance)
Volatile organic compounds	Miscellaneous Volatile Organic Compound Emissions	15A NCAC 2D .0951
Volatile organic compounds	Work practice standards	15A NCAC 2D .0958
Toxic air pollutants	State-enforceable only Modeled emission rates	15A NCAC 2D .1100
Odorous emissions	State-enforceable only Odorous emissions must be controlled	15A NCAC 2D .1806
Toxic air pollutants	State-enforceable only Toxic pollutant emission rates (TPERs)	15A NCAC 2Q .0711
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products	15A NCAC 2D .1111 (40 CFR 63, Subpart MMMM)
Toxic air pollutants	State-enforceable only Last MACT/Air Toxics modeling demonstration	15A NCAC 2Q .0705

1. 15A NCAC 2Q .0317: AVOIDANCE CONDITIONS for 15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

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

Monitoring/Recordkeeping [15A NCAC 2Q .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. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if the amounts of VOC containing materials are not monitored and recorded.
- 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 2D .0530 if the VOC emissions exceed this limit.

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

- d. The Permittee shall submit a summary report of the monitoring and recordkeeping 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 following:
 - i. the monthly product usage and VOC content for the previous 17 months; and
 - ii. the monthly VOC emissions for the previous 17 months. The emissions shall be calculated for each of the 12-month periods over the previous 17 months.The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if the records are not maintained.

2. 15A NCAC 2D .0951: MISCELLANEOUS VOLATILE ORGANIC COMPOUND EMISSIONS

- a. This rule applies to all facilities that use volatile organic compounds as solvents, carriers, material processing media, or industrial chemical reactants, or in other similar uses, or that mix, blend, or manufacture volatile organic compounds for which there is no other applicable emissions control rule in this Section except Rule .0958 of this Section.
- b. Per 15A NCAC 2D .0951(c)(1), the Permittee has installed and operates reasonable available control technology (i.e., defined RACT) as being the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (40 CFR 63, Subpart MMM), meeting the requirements of RACT¹. Final compliance was demonstrated for existing source RACT no later than **April 1, 2009**. [15A NCAC 2D .0909(d)(2)(C)]

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

- c. No monitoring/recordkeeping/reporting is required.

3. 15A NCAC 2D .0958: WORK PRACTICES FOR SOURCES OF VOLATILE ORGANIC COMPOUNDS

- a. Pursuant to 15A NCAC 2D .0958, for all sources that use volatile organic compounds (VOC) as solvents, carriers, material processing media, or industrial chemical reactants, or in similar uses that mix, blend, or manufacture VOCs, or emit VOCs as a product of chemical reactions, and whose emissions of VOCs are greater than 15 pounds per day; the Permittee shall:
 - i. Store all material, including waste material, containing VOCs in tanks or in containers covered with a tightly fitting lid that is free of cracks, holes, or other defects, when not in use,
 - ii. Clean up spills of VOCs as soon as possible following proper safety procedures,
 - iii. Store wipe rags containing VOCs in closed containers,
 - iv. Not clean sponges, fabric, wood, paper products, and other absorbent materials with VOCs,
 - v. Transfer solvents containing VOCs used to clean supply lines and other coating equipment into closable containers and close such containers immediately after each use, or transfer such solvents to closed tanks, or to a treatment facility regulated under section 402 of the Clean Water Act,
 - vi. Clean mixing, blending, and manufacturing vats and containers containing VOCs by adding cleaning solvent and close the vat or container before agitating the cleaning solvent. The spent cleaning solvent shall then be transferred into a closed container, a closed tank or a treatment facility regulated under section 402 of the Clean Water Act.

¹ See *Federal Register*/Volume 70, No. 288/Tuesday, November 29, 2005/Rules and Regulations/71653-71655

- b. When cleaning parts with a solvent containing a VOC, the Permittee shall:
 - i. Flush parts in the freeboard area,
 - ii. Take precautions to reduce the pooling of solvent on and in the parts,
 - iii. Tilt or rotate parts to drain solvent and allow a minimum of 15 seconds for drying or until all dripping has stopped, whichever is longer,
 - iv. Not fill cleaning machines above the fill line,
 - v. Not agitate solvent to the point of causing splashing.

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

- c. To assure compliance with paragraphs (a) and (b) above, the Permittee shall, at a minimum, perform a visual inspection once per month of all operations and processes utilizing VOCs. The inspections shall be conducted during normal operations. If the required inspections are not conducted the Permittee shall be deemed to be in noncompliance with 15A NCAC 2D .0958.
- d. The results of the inspections 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 inspection; and
 - ii. The results of each inspection noting whether or not noncompliant conditions were observed. If the required records are not maintained the Permittee shall be deemed to be in noncompliance with rule 15A NCAC 2D .0958.

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

- e. The Permittee shall submit a summary report of the observations 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.

State-enforceable only

4. 15A NCAC 2D .1100: CONTROL OF TOXIC AIR POLLUTANTS

- a. Pursuant to 15A NCAC 2D .1100 and in accordance with the approved application for an air toxic compliance demonstration, the following permit limits shall not be exceeded:

Emission Source(s)	Toxic Air Pollutant(s)	Emission Limit(s)
Lining Oven – Stack 1 (ID Nos. ES-01 and ES-02)	Phenol	1.60 lbs/hr
	Formaldehyde (Scenario A)	0.578 lbs/hr
	Formaldehyde (Scenario B)	0.579 lbs/hr
	Xylene	0.373 lbs/hr 8.95 lbs/day
Lining Oven – Stack 2 (ID Nos. ES-01 and ES-02)	Phenol	1.60 lbs/hr
	Formaldehyde (Scenario A)	0.578 lbs/hr
	Formaldehyde (Scenario B)	0.579 lbs/hr
	Xylene	0.373 lbs/hr 8.95 lbs/day
Lining Oven – Stack 3 (ID Nos. ES-01 and ES-02)	Phenol	1.60 lbs/hr
	Formaldehyde (Scenario A)	0.578 lbs/hr
	Formaldehyde (Scenario B)	0.579 lbs/hr
	Xylene	0.373 lbs/hr 8.95 lbs/day
Drum Paint Booth (ID No. ES-05)	Xylene	17.2 lbs/hr 412.8 lbs/day

Emission Source(s)	Toxic Air Pollutant(s)	Emission Limit(s)
Silk Screening (ID No. SILK)	Manganese	0.0434 lbs/hr

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

- b. To ensure compliance with the above limits, the Permittee shall limit the number of drums produces in Scenario A (general production) to less than 525 drums per hour and limit the number of drums produced in Scenario B (utilizing clear coat lining) to less than 465 drums per hour.
- c. The Permittee shall maintain records of operational information demonstrating that the number of drums produced per hour did not exceed the maximum allowed under each Scenario described in Section 2.2 A.4.b above.

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

- d. For compliance purposes, within 30 days after each calendar year quarter, regardless of the actual emissions, the following shall be reported to the Regional Supervisor, DAQ:
 - i. a signed certificate which states whether the Permittee exceeded the emission levels specified in Section 2.2 A.4.a above during the referenced quarter;
 - ii. for each exceedance of the limits in Section 2.2 A.4.a above, identify the date(s) of each exceedance, the TAPs that exceeded the associated limit, and the actual emission rate (in pounds per hour or pounds per day, as appropriate) during the exceedance;
 - iii. identify the highest single hourly emission rate during the reporting period for phenol, formaldehyde (Scenario A), formaldehyde (Scenario B), and xylene, and manganese, the highest single daily emission rate during the reporting period for xylene, and the dates respective to each emission rate; and
 - iv. identify the greatest number of drums produced per hour and per day during the reporting period for both Scenario A and Scenario B, and the dates respective to both.

State-enforceable only

5. 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.

State-enforceable only

6. 15A NCAC 2Q .0711: EMISSION RATES REQUIRING A PERMIT

- a. Pursuant to 15A NCAC 2Q .0711 Emission Rates Requiring a Permit, for each of the below listed toxic air pollutants (TAPs), the Permittee has made a demonstration that facility-wide actual emissions do not exceed the Toxic Permit Emission Rates (TPERs) listed in 15A NCAC 2Q .0711. The facility shall be operated and maintained in such a manner that emissions of any listed TAPs from the facility, including fugitive emissions, will not exceed TPERs listed in 15A NCAC 2Q .0711.
- b. A permit to emit any of the below listed TAPs shall be required for this facility if actual emissions from all sources will become greater than the corresponding TPERs.
- c. **PRIOR** to exceeding any of these listed TPERs, the Permittee shall be responsible for obtaining a permit to emit TAPs and for demonstrating compliance with the requirements of 15A NCAC 2D .1100 "Control of Toxic Air Pollutants".
- d. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPERs as listed below:

Pollutant (CAS Number)	TPERs Limitation			
	Carcinogens (lb/yr)	Chronic Toxicants (lb/day)	Acute Systemic Toxicants (lb/hr)	Acute Irritants (lb/hr)
Ethyl acetate (141-78-6)			36	
Methyl isobutyl ketone (108-10-1)		52		7.6
Toluene (108-88-3)		98		14.4

7. 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY

- a. The Permittee shall comply with all applicable provisions contained in Environmental Management Commission Standard 15A NCAC 2D .1111, “Maximum Achievable Control Technology” as promulgated in 40 CFR 63, Subpart MMMM, “National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products”, by **January 2, 2007** for the existing sources **(ID Nos. ES-01, ES-02, ES-05, SILK, and PW-1)**.

Emission Limits [40 CFR 63.3890]

- b. For the sources **(ID Nos. ES-01, ES-02, ES-05, SILK, and PW-1)**, the Permittee shall limit organic HAP emissions to the atmosphere as follows:
 - i. For each existing general use coating affected source, limit organic HAP emissions to no more than 0.31 kg (2.6 lb) organic HAP per liter (gal) coating solids used during each 12-month compliance period;
 - ii. For each existing high performance coating affected source, limit organic HAP emissions to no more than 3.3 kg (27.5 lb) organic HAP per liter (gal) coating solids used during each 12-month compliance period;
 - iii. For each existing magnet wire coating affected source, limit organic HAP emissions to no more than 0.12 kg (1.0 lb) organic HAP per liter (gal) coating solids used during each 12-month compliance period;
 - iv. For each existing rubber-to-metal coating affected source, limit organic HAP emissions to no more than 4.5 kg (37.7 lb) organic HAP per liter (gal) coating solids used during each 12-month compliance period; and
 - v. For each existing extreme performance fluoropolymer coating affected source, limit organic HAP emissions to no more than 1.5 kg (12.4 lbs) organic HAP per liter (gal) coating solids used during each 12-month compliance period.
- c. If the sources **(ID Nos. ES-01, ES-02, ES-05, SILK, and PW-1)** meet the applicability criteria of more than one of the subcategory emission limits specified in **Section 2.2 A.7.b.i through v** above, the Permittee may comply separately with each subcategory emission limit or comply using one of the following alternatives.

- i. If the general use or magnet wire surface coating operations subject to only one of the emission limits specified in Section 2.2 A.7.b.i or iii above account for 90 percent or more of the surface coating activity at the facility (i.e., it is the predominant activity at the facility), then compliance with that one emission limitation for all surface coating operations constitutes compliance with the other applicable emission limits. The Permittee shall use liters (gal) of solids used as a measure of relative surface coating activity over a representative period of operation. The Permittee may estimate the relative volume of coating solids used from parameters other than coating consumption and volume solids content (e.g., design specifications for the parts or products coated and the number of items produced). The determination of predominant activity must accurately reflect current and projected coating operations and must be verifiable through appropriate documentation. The Permittee may use data for any reasonable time period of at least 1 year in determining the relative amount of coating activity, as long as they represent the way the source will continue to operate in the future and are approved by DAQ. The Permittee shall determine the predominant activity at the facility annually and submit the results of that determination in the next semi-annual compliance report required by Section 2.2 A.7.i below; or
- ii. The Permittee may calculate and comply with a facility-specific emission limit as described below. In calculating a facility-specific emission limit, the Permittee shall include coating activities that meet the applicability criteria of the other subcategories and constitute more than 1 percent of total coating activities.
 - A. The Permittee is required to calculate the facility-specific emission limit for the facility when submitting the notification of compliance status required in Section 2.2 A.7.g below, and on a monthly basis afterward using the coating data for the relevant 12-month compliance period.
 - B. The Permittee shall use the following equation to calculate the facility-specific emission limit for the surface coating operations for each 12-month compliance period.

$$\text{Facility - Specific Emission Limit} = \frac{\sum_{i=1}^n (\text{Limit}_i)(\text{Solids}_i)}{\sum_{i=1}^n (\text{Solids}_i)} \quad (\text{Eq. 1})$$

Where: Facility-specific emission limit = Facility-specific emission limit for each 12-month compliance period, kg (lb) organic HAP per kg (lb) coating solids used.
 Limit_i = The new source or existing source emission limit applicable to coating operation, i, included in the facility-specific emission limit, converted to kg (lb) organic HAP per kg (lb) coating solids used, if the emission limit is not already in those units. All emission limits included in the facility-specific emission limit must be in the same units.
 Solids_i = The liters (gal) of solids used in coating operation, i, in the 12-month compliance period that is subject to emission limit, i. The Permittee may estimate the volume of coating solids used from parameters other than coating consumption and volume solids content (e.g., design specifications for the parts or products coated and the number of items produced). The use of parameters other than coating consumption and volume solids content must be approved by the Administrator.
 n = The number of different coating operations included in the facility-specific emission limit.

- d. The Permittee shall include all coatings, thinners and/or other additives, and cleaning materials used in the affected source when determining whether the organic HAP emission rate is equal to or less than the applicable emission limit in Section 2.2 A.7.b.i through v above. To make this determination, the Permittee shall use at least one of the following two compliance options. The Permittee may apply any of the compliance options to an individual coating operation, or to multiple coating operations as a group, or to the entire affected source. The Permittee may use different compliance options for different coating operations, or at different times on the same coating operation. The Permittee may employ different compliance options when different coatings are applied to the same part, or when the same coating is applied to different parts. However, the Permittee may not use different compliance options at the same time on the same coating operation. If the Permittee switches between compliance options for any coating operation or group of coating operations, the facility shall document this switch as required by Section 2.2 A.7.h.iii below, and shall report it in the next semiannual compliance report required in Section 2.2 A.7.i below.
- i. Compliant material option. Demonstrate that the organic HAP content of each coating used in the coating operation(s) is less than or equal to the applicable emission limit in Section 2.2 A.7.b.i through v above, and that each thinner and/or other additive, and cleaning material used contains no organic HAP. The Permittee shall meet all of the following requirements to demonstrate compliance with the applicable emission limit using this option:
- A. The Permittee shall complete the initial compliance demonstration for the initial compliance period ending **January 31, 2008**, according to the requirements in Section 2.2 A.7.d.i.B below. The demonstration shall include the calculations and supporting documentation showing that during the initial compliance period, the Permittee used no coating with an organic HAP content that exceeded the applicable emission limit in Section 2.2 A.7.b.i through v above, and that the facility used no thinners and/or other additives, or cleaning materials that contained organic HAP.
- B. The Permittee may use the compliant material option for any individual coating operation, for any group of coating operations in the affected source, or for all the coating operations in the affected source. The Permittee shall use the emission rate without add-on controls option for any coating operation in the affected source for which the facility does not use this option. To demonstrate initial compliance using the compliant material option, the coating operation or group of coating operations must use no coating with an organic HAP content that exceeds the applicable emission limits in Section 2.2 A.7.b.i through v above and must use no thinner and/or other additive, or cleaning material that contains organic HAP. The Permittee shall conduct a separate initial compliance demonstration for each general use, high performance, magnet wire, rubber-to-metal, and extreme performance fluoropolymer coating operation unless the facility is demonstrating compliance with a predominant activity or facility-specific emission limit as provided in Section 2.2 A.7.c.i above. If the facility is demonstrating compliance with a predominant activity or facility-specific emission limit as provided in Section 2.2 A.7.c.ii above, the Permittee shall demonstrate that all coating operations included in the predominant activity determination or calculation of the facility-specific emission limit comply with that limit. Use the procedures in this section on each coating, thinner and/or other additive, and cleaning material in the condition it is in when it is received from its manufacturer or supplier and prior to any alteration. The Permittee does not need to re-determine the organic HAP content of coatings, thinners and/or other additives, and cleaning materials that are reclaimed on-site (or reclaimed off-site if the facility has documentation showing that they received back the exact same materials that were sent off-site) and reused in the coating operation for which the facility uses the compliant material option, provided these

materials in their condition as received were demonstrated to comply with the compliant material option.

1. Determine the mass fraction of organic HAP for each material used. The Permittee shall determine the mass fraction of organic HAP for each coating, thinner and/or other additive, and cleaning material used during the compliance period by using one of the options in 40 CFR 63.3941(a)(1) through (5) or using one of the following options:
 - (a) Method 311 as provided in 40 CFR 63.3941(a)(1).
 - (b) Method 24 as provided in 40 CFR 63.3941(a)(2).
 - (c) Alternative test method as provided in 40 CFR 63.3941(a)(3).
 - (d) Information from the supplier or manufacturer of the material as provided in 40 CFR 63.3941(a)(4).
 - (e) Solvent blends as provided in 40 CFR 63.3941(a)(5).
2. Determine the volume fraction of coating solids for each coating. The Permittee shall determine the volume fraction of coating solids (liters (gal) of coating solids per liter (gal) of coating) for each coating used during the compliance period by a test, by information provided by the supplier or the manufacturer of the material, or by calculation, as specified in Section 2.2 A.7.d.i.B.2.(a) through (d) below. If test results obtained according to Section 2.2 A.7.d.i.B.2.(a) below do not agree with the information obtained under Section 2.2 A.7.d.i.B.2.(c) or (d) below, the test results will take precedence unless, after consultation, the Permittee demonstrates to the satisfaction of DAQ that the formulation data are correct.
 - (a) ASTM Method D2697-86 (Reapproved 1998) or ASTM Method D6093-97 (Reapproved 2003) as provided in 63.3941(b)(1).
 - (b) Alternative method as provided in 40 CFR 63.3941(b)(2).
 - (c) Information from the supplier or manufacturer of the material as provided in 63.3941(b)(3).
 - (d) Calculation of volume fraction of coating solids as provided in 63.3941(b)(4).
3. Determine the density of each coating. Determine the density of each coating used during the compliance period from test results using ASTM Method D1475-98, "Standard Test Method for Density of Liquid Coatings, Inks, and Related Products" (incorporated by reference, see 63.14), information from the supplier or manufacturer of the material, or specific gravity data for pure chemicals. If there is disagreement between ASTM Method D1475-98 test results and the supplier's or manufacturer's information, the test results will take precedence unless, after consultation the Permittee demonstrates to the satisfaction of DAQ that the formulation data are correct.
4. Determine the organic HAP content of each coating. Calculate the organic HAP content, kg (lb) of organic HAP emitted per liter (gal) coating solids used, of each coating used during the compliance period using the following equation:

$$H_c = \frac{(D_c)(W_c)}{V_s} \quad (\text{Eq. 2})$$

Where: H_c = Organic HAP content of the coating, kg organic HAP emitted per liter (gal) coating solids used.

D_c = Density of coating, kg coating per liter (gal) coating, determined according to Section 2.2 A.7.d.i.B.3 above.

W_c = Mass fraction of organic HAP in the coating, kg organic HAP per kg coating, determined according to Section 2.2 A.7.d.i.B.1 above.

V_s = Volume fraction of coating solids, liter (gal) coating solids per liter (gal) coating, determined according to Section 2.2 A.7.d.i.B.2 above.

5. Compliance demonstration. The calculated organic HAP content for each coating used during the initial compliance period must be less than or equal to the applicable emission limit in Section 2.2 A.7.b.i through v above; and each thinner and/or other additive, and cleaning material used during the initial compliance period must contain no organic HAP, determined according to Section 2.2 A.7.d.i.B.1 above. The Permittee shall keep all records required by Section 2.2 A.7.h below. As part of the notification of compliance status required in Section 2.2 A.7.g below, the Permittee shall identify the coating operation(s) for which the facility used the compliant material option and submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the initial compliance period because the facility used no coatings for which the organic HAP content exceeded the applicable emission limit in Section 2.2 A.7.b.i through v above, and the facility used no thinners and/or other additives, or cleaning materials that contained organic HAP, determined according to the procedures in Section 2.2 A.7.d.i.B.1 above.
- C. 1. For each compliance period to demonstrate continuous compliance, the Permittee shall use no coating for which the organic HAP content (determined using Equation 2 of Section 2.2 A.7.d.i.B.4 above) exceeds the applicable emission limit in Section 2.2 A.7.b.i through v above, and use no thinner and/or other additive, or cleaning material that contains organic HAP, determined according to Section 2.2 A.7.d.i.B.1 above. A compliance period consists of 12 months. Each month, after the end of the initial compliance period described in Section 2.2 A.7.d.i.A above, is the end of a compliance period consisting of that month and the preceding 11 months. If the facility is complying with a facility-specific emission limit under Section 2.2 A.7.c.ii above, the Permittee shall also perform the calculation using Equation 1 in Section 2.2 A.7.c.ii.B above on a monthly basis using the data from the previous 12 months of operation.
 2. If the Permittee chooses to comply with the emission limitations by using the compliant material option, the use of any coating, thinner and/or other additive, or cleaning material that does not meet the criteria specified in Section 2.2 A.7.d.i.C.1 above is a deviation from the emission limitations that must be reported as specified in Section 2.2 A.7.g.vi and Section 2.2 A.7.i.ix below.
 3. As part of each semiannual compliance report required by Section 2.2 A.7.i below, the Permittee shall identify the coating operation(s) for which the facility used the compliant material option. If there were no deviations from the applicable emission limit in Section 2.2 A.7.b.i through v above, submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the reporting period because the facility used no coatings for which the organic HAP content exceeded the applicable emission limit in Section 2.2 A.7.b.i through v above, and the facility used no thinner and/or other additive, or cleaning material that contained organic HAP, determined according to Section 2.2 A.7.d.i.B.1 above.
 4. The Permittee shall maintain records as specified in Section 2.2 A.7.h below.

- ii. Emission rate without add-on controls option. Demonstrate that, based on the coatings, thinners and/or other additives, and cleaning materials used in the coating operation(s), the organic HAP emission rate for the coating operation(s) is less than or equal to the applicable emission limit in Section 2.2 A.7.b.i through v above, calculated as a rolling 12-month emission rate and determined on a monthly basis. The Permittee shall meet all of the following requirements to demonstrate compliance with the emission limit using this option.
- A. The Permittee shall complete the initial compliance demonstration for the initial compliance period ending on **January 31, 2008**, according to the requirements of Section 2.2 A.7.d.ii.B below. The Permittee shall determine the mass of organic HAP emissions and volume of coating solids used each month and then calculate an organic HAP emission rate at the end of the initial compliance period. The demonstration shall include the calculations according to Section 2.2 A.7.d.ii.B below and supporting documentation showing that during the initial compliance period the organic HAP emission rate was equal to or less than the applicable emission limit in Section 2.2 A.7.b.i through v above.
- B. The Permittee may use the emission rate without add-on controls option for any individual coating operation, for any group of coating operations in the affected source, or for all the coating operations in the affected source. The Permittee shall use the compliant material option for any coating operation in the affected source for which the facility does not use this option. To demonstrate initial compliance using the emission rate without add-on controls option, the coating operation or group of coating operations must meet the applicable emission limit in Section 2.2 A.7.b.i through v above. The Permittee shall conduct a separate initial compliance demonstration for each general use, magnet wire, rubber-to-metal, and extreme performance fluoropolymer coating operation unless the facility is demonstrating compliance with a predominant activity or facility-specific emission limit as provided in Section 2.2 A.7.c.i above. If the facility is demonstrating compliance with a predominant activity or facility-specific emission limit as provided in Section 2.2 A.7.c.ii above, the Permittee shall demonstrate that all coating operations included in the predominant activity determination or calculation of the facility-specific emission limit comply with that limit. When calculating the organic HAP emission rate according to this section, do not include any coatings, thinners and/or other additives, or cleaning materials used on coating operations for which the Permittee uses the compliant material option. The Permittee does not need to redetermine the mass of organic HAP in coatings, thinners and/or other additives, or cleaning materials that have been reclaimed on-site (or reclaimed off-site if the facility has documentation showing that the facility received back the exact same materials that were sent off-site) and reused in the coating operation for which the facility uses the emission rate without add-on controls option. If the Permittee uses coatings, thinners and/or other additives, or cleaning materials that have been reclaimed on-site, the amount of each used in a month may be reduced by the amount of each that is reclaimed. That is, the amount used may be calculated as the amount consumed to account for materials that are reclaimed.
1. Determine the mass fraction of organic HAP for each material. Determine the mass fraction of organic HAP for each coating, thinner and/or other additive, and cleaning material used during each month according to the requirements in Section 2.2 A.7.d.i.B.1 above.
 2. Determine the volume fraction of coating solids. Determine the volume fraction of coating solids (liter (gal) of coating solids per liter (gal) of coating) for each coating used during each month according to the requirements in Section 2.2 A.7.d.i.B.2 above.

3. Determine the density of each material. Determine the density of each liquid coating, thinner and/or other additive, and cleaning material used during each month from test results using ASTM Method D1475-98, “Standard Test Method for Density of Liquid Coatings, Inks, and Related Products” (incorporated by reference, see 63.14), information from the supplier or manufacturer of the material, or reference sources providing density or specific gravity data for pure materials. If the Permittee is including powder coatings in the compliance determination, determine the density of powder coatings, using ASTM Method D5965-02, “Standard Test Methods for Specific Gravity of Coating Powders” (incorporated by reference, see 63.14), or information from the supplier. If there is disagreement between ASTM Method D1475-98 or ASTM Method D5965-02 test results and other such information sources, the test results will take precedence unless, after consultation the Permittee demonstrates to the satisfaction of DAQ that the formulation data are correct. If the facility purchases materials or monitors consumption by weight instead of volume, the Permittee does not need to determine material density. Instead, the Permittee may use the material weight in place of the combined terms for density and volume in Equations 1A, 1B, 1C, and 2 below.
4. Determine the volume of each material used. Determine the volume (liters) of each coating, thinner and/or other additive, and cleaning material used during each month by measurement or usage records. If the facility purchases materials or monitors consumption by weight instead of volume, the Permittee does not need to determine the volume of each material used. Instead, the Permittee may use the material weight in place of the combined terms for density and volume in Equations 1A, 1B, and 1C below.
5. Calculate the mass of organic HAP emissions. The mass of organic HAP emissions is the combined mass of organic HAP contained in all coatings, thinners and/or other additives, and cleaning materials used during each month minus the organic HAP in certain waste materials. Calculate the mass of organic HAP emissions using Equation 1 of this section.

$$H_e = A + B + C - R_w \quad (\text{Eq. 1})$$

Where: H_e = Total mass of organic HAP emissions during the month, kg.

A = Total mass of organic HAP in the coatings used during the month, kg, as calculated in Equation 1A of this section.

B = Total mass of organic HAP in the thinners and/or other additives used during the month, kg, as calculated in Equation 1B of this section.

C = Total mass of organic HAP in the cleaning materials used during the month, kg, as calculated in Equation 1C of this section.

R_w = Total mass of organic HAP in waste materials sent or designated for shipment to a hazardous waste TSDF for treatment or disposal during the month, kg, determined according to Section 2.2 A.7.d.ii.B.5.(d) below. (The Permittee may assign a value of zero to R_w if the facility does not wish to use this allowance.)

- (a) Calculate the kg organic HAP in the coatings used during the month using Equation 1A of this section:

$$A = \sum_{i=1}^m (\text{Vol}_{c,i})(D_{c,i})(W_{c,i}) \quad (\text{Eq. 1A})$$

Where: A = Total mass of organic HAP in the coatings used during the month, kg.

$\text{Vol}_{c,i}$ = Total volume of coating, i, used during the month, liters.

$D_{c,i}$ = Density of coating, i, kg coating per liter coating.

$W_{c,i}$ = Mass fraction of organic HAP in coating, i, kg organic HAP per kg coating. For reactive adhesives, use the mass fraction of organic HAP that is emitted as determined using the method in Appendix A to Subpart PPPP of this Part.

m = Number of different coatings used during the month.

- (b) Calculate the kg of organic HAP in the thinners and/or other additives used during the month using Equation 1B of this section:

$$B = \sum_{j=1}^n (\text{Vol}_{t,j})(D_{t,j})(W_{t,j}) \quad (\text{Eq. 1B})$$

Where: B = Total mass of organic HAP in the thinners and/or other additives used during the month, kg.

$\text{Vol}_{t,j}$ = Total volume of thinner and/or other additive, j, used during the month, liters.

$D_{t,j}$ = Density of thinner and/or other additive, j, kg per liter.

$W_{t,j}$ = Mass fraction of organic HAP in thinner and/or other additive, j, kg organic HAP per kg thinner and/or other additive. For reactive adhesives, use the mass fraction of organic HAP that is emitted as determined using the method in Appendix A to Subpart PPPP of this Part.

n = Number of different thinners and/or other additives used during the month.

- (c) Calculate the kg organic HAP in the cleaning materials used during the month using Equation 1C of this section:

$$C = \sum_{k=1}^p (\text{Vol}_{s,k})(D_{s,k})(W_{s,k}) \quad (\text{Eq. 1C})$$

Where: C = Total mass of organic HAP in the cleaning materials used during the month, kg.

$\text{Vol}_{s,k}$ = Total volume of cleaning material, k, used during the month, liters.

$D_{s,k}$ = Density of cleaning material, k, kg per liter.

$W_{s,k}$ = Mass fraction of organic HAP in cleaning material, k, kg organic HAP per kg material.

p = Number of different cleaning materials used during the month.

(d) If the facility chooses to account for the mass of organic HAP contained in waste materials sent or designated for shipment to a hazardous waste TSDF in Equation 1 of this section, then the Permittee shall determine the mass according to the procedures in 40 CFR 63.3951(e)(4).

6. Calculate the total volume of coating solids used. Determine the total volume of coating solids used, liters, which is the combined volume of coating solids for all the coatings used during each month, using Equation 2 of this section:

$$V_{st} = \sum_{i=1}^m (\text{Vol}_{c,i}) (V_{s,i}) \quad (\text{Eq. 2})$$

Where: V_{st} = Total volume of coating solids used during the month, liters.

$\text{Vol}_{c,i}$ = Total volume of coating, i, used during the month, liters.

$V_{s,i}$ = Volume fraction of coating solids for coating, i, liter solids per liter coating, determined according to Section 2.2 A.7.d.i.B.2 above.

m = Number of coatings used during the month.

7. Calculate the organic HAP emission rate. Calculate the organic HAP emission rate for the compliance period, kg (lb) organic HAP emitted per liter (gal) coating solids used, using Equation 3 of this section:

$$H_{yr} = \frac{\sum_{y=1}^n H_e}{\sum_{y=1}^n V_{st}} \quad (\text{Eq. 3})$$

Where: H_{yr} = Average organic HAP emission rate for the compliance period, kg organic HAP emitted per liter coating solids used.

H_e = Total mass of organic HAP emissions from all materials used during month, y, kg, as calculated by Equation 1 of Section 2.2 A.7.d.ii.B.5 above.

V_{st} = Total volume of coating solids used during month, y, liters, as calculated by Equation 2 of Section 2.2 A.7.d.ii.B.6 above.

y = Identifier for months.

n = Number of full or partial months in the compliance period (for the initial compliance period, n equals 12 if the compliance date falls on the first day of a month; otherwise n equals 13; for all following compliance periods, n equals 12).

8. Compliance demonstration. The organic HAP emission rate for the initial compliance period calculated using Equation 3 above must be less than or equal to the applicable emission limit for each subcategory in Section 2.2 A.7.b.i through v above or the predominant activity or facility-specific emission limit allowed in Section 2.2 A.7.c.ii above. The Permittee shall keep all records as required by Section 2.2 A.7.h below. As part of the notification of compliance status required by Section 2.2 A.7.g below, the Permittee shall identify the coating operation(s) for which the facility used the emission rate without add-on controls option and submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the initial compliance period because the organic HAP emission rate was less than or equal to

the applicable emission limit in Section 2.2 A.7.b.i through v above, determined according to the procedures in this section.

- C. 1. To demonstrate continuous compliance, the organic HAP emission rate for each compliance period, determined according to Section 2.2 A.7.d.ii.B.1 through 7 above, must be less than or equal to the applicable emission limit in Section 2.2 A.7.b.i through v above. A compliance period consists of 12 months. Each month after the end of the initial compliance period described in Section 2.2 A.7.d.ii.A above is the end of a compliance period consisting of that month and the preceding 11 months. The Permittee shall perform the calculations in Section 2.2 A.7.d.ii.B.1 through 7 above on a monthly basis using data from the previous 12 months of operation. If the facility is complying with a facility-specific emission limit under Section 2.2 A.7.c.ii above, the Permittee shall also perform the calculation using Equation 1 in Section 2.2 A.7.c.ii.B above on a monthly basis using the data from the previous 12 months of operation.
2. If the organic HAP emission rate for any 12-month compliance period exceeded the applicable emission limit in Section 2.2 A.7.b.i through v above, this is a deviation from the emission limitation for that compliance period and must be reported as specified in Sections 2.2 A.7.g.vi and 2.2 A.7.i.x above.
3. As part of each semiannual compliance report required by Section 2.2 A.7.i above, the Permittee shall identify the coating operation(s) for which the facility used the emission rate without add-on controls option. If there were no deviations from the emission limitations, the Permittee shall submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the reporting period because the organic HAP emission rate for each compliance period was less than or equal to the applicable emission limit in Section 2.2 A.7.b.i through v above, determined according to Section 2.2 A.7.d.ii.B.1 through 7 above.
4. The Permittee shall maintain records as specified in Section 2.2 A.7.h below. The Permittee shall be in compliance with the emission limitations in Section 2.2 A.7.b.i through v above, at all times and shall be deemed in noncompliance with 15A NCAC 2D .1111 if he does not demonstrate compliance with the emission limitations as described above.

Operating Limits/Work Practice Standards [40 CFR 63.3892 and 63.3893]

- e. For these sources (**ID Nos. ES-01, ES-02, ES-05, SILK, and PW-1**) on which the Permittee uses the compliant material option in Section 2.2 A.7.d.i above or the emission rate without add-on controls option in Section 2.2 A.7.d.ii above, the Permittee is not required to meet any operating limits or work practice standards.

Notifications [40 CFR 63.3910]

- f. The Permittee shall submit the notifications in 63.7(b) and (c), 63.8(f)(4), and 63.9(b) through (e) and (h) that apply to the facility by the dates specified in those sections, except as provided in Section 2.2 A.7.g below.
- g. The Permittee shall submit the notification of compliance status required by 63.9(h) by **March 1, 2008**. The notification of compliance status must contain the following information and the information in 63.9(h).
 - i. Company name and address;
 - ii. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report;
 - iii. Date of the report and beginning and ending dates of the reporting period;

- iv. Identification of the compliance option or options specified in Section 2.2 A.7.d above that the facility used on each coating operation during the initial compliance period;
- v. Statement of whether or not the affected source achieved the emission limitations for the initial compliance period;
- vi. If the Permittee had a deviation, include the following information:
 - A. A description and statement of the cause of the deviation; and
 - B. If the Permittee failed to meet the applicable emission limit in Section 2.2 A.7.b.i through v above, include all the calculations used to determine the kg (lb) of organic HAP emitted per liter (gal) coating solids used. The Permittee does not need to submit information provided by the materials' suppliers or manufacturers, or test reports;
- vii. For each of the following data items that is required by the compliance option(s) the Permittee used to demonstrate compliance with the emission limit, an example of how the Permittee determined the value, including calculations and supporting data. Supporting data may include a copy of the information provided by the supplier or manufacturer of the example coating or material, or a summary of the results of testing conducted according to Sections 2.2 A.7.d.i.B.1, 2, or 3 above. The Permittee does not need to submit copies of any test reports.
 - A. Mass fraction of organic HAP for one coating, for one thinner and/or other additive, and for one cleaning material;
 - B. Volume fraction of coating solids for one coating;
 - C. Density for one coating, one thinner and/or other additive, and one leaning material, except that if the Permittee uses the compliant material option, only the example coating density is required; and
 - D. The amount of waste materials and the mass of organic HAP contained in the waste materials for which the Permittee is claiming an allowance in Equation 1 of Section 2.2 A.7.d.ii.B.5 above;
- viii. The calculation of kg (lb) of organic HAP emitted per liter (gal) coating solids used for the compliance option(s) the Permittee used, as specified below:
 - A. For the compliant material option, an example calculation of the organic HAP content for one coating, using Equation 2 of Section 2.2 A.7.d.i.B.4 above; and
 - B. For the emission rate without add-on controls option, the calculation of the total mass of organic HAP emissions for each month; the calculation of the total volume of coating solids used each month; and the calculation of the 12-month organic HAP emission rate using Equations 1 and 1A through 1C, 2, and 3, respectively, of Sections 2.2 A.7.d.ii.B.5 through 7 above;
- ix. If the Permittee is complying with a single emission limit representing the predominant activity under Section 2.2 A.7.c.i above, include the calculations and supporting information used to demonstrate that this emission limit represents the predominant activity as specified in Section 2.2 A.7.c.i above; and
- x. If the Permittee is complying with a facility-specific emission limit under Section 2.2 A.7.c.ii above, include the calculation of the facility-specific emission limit and any supporting information as specified in Section 2.2 A.7.c.ii above.

Recordkeeping [40 CFR 63.3930]

- h. The Permittee shall collect and keep records of the data and information specified below. Failure to collect and keep these records is a deviation from the applicable standard.

- i. A copy of each notification and report submitted to comply with this Subpart, and the documentation supporting each notification and report. If the facility is using the predominant activity alternative under Section 2.2 A.7.c.i above, the Permittee shall keep records of the data and calculations used to determine the predominant activity. If the facility is using the facility-specific emission limit alternative under Section 2.2 A.7.c.i above, the Permittee shall keep records of the data used to calculate the facility-specific emission limit for the initial compliance demonstration. The Permittee shall also keep records of any data used in each annual predominant activity determination and in the calculation of the facility-specific emission limit for each 12-month compliance period included in the semi-annual compliance reports;
- ii. A current copy of information provided by materials suppliers or manufacturers, such as manufacturer's formulation data, or test data used to determine the mass fraction of organic HAP and density for each coating, thinner and/or other additive, and cleaning material, and the volume fraction of coating solids for each coating. If the facility conducted testing to determine mass fraction of organic HAP, density, or volume fraction of coating solids, the Permittee shall keep a copy of the complete test report. If the facility uses information provided by the manufacturer or supplier of the material that was based on testing, the Permittee shall keep the summary sheet of results provided by the manufacturer or supplier. The Permittee is not required to obtain the test report or other supporting documentation from the manufacturer or supplier;
- iii. For each compliance period, the records specified below:
 - A. A record of the coating operations on which the Permittee used each compliance option and the time periods (beginning and ending dates and times) for each option;
 - B. For the compliant material option, a record of the calculation of the organic HAP content for each coating, using Equation 2 of Section 2.2 A.7.d.i.B.4 above; and
 - C. For the emission rate without add-on controls option, a record of the calculation of the total mass of organic HAP emissions for the coatings, thinners and/or other additives, and cleaning materials used each month using Equations 1, 1A through 1C, and 2 of Sections 2.2 A.7.d.ii.B.5 through 7 above; and, if applicable, the calculation used to determine mass of organic HAP in waste materials according to Section 2.2 A.7.d.ii.B.5.(d) above; the calculation of the total volume of coating solids used each month using Equation 2 of Section 2.2 A.7.d.ii.B.6 above; and the calculation of each 12-month organic HAP emission rate using Equation 3 of Section 2.2 A.7.d.ii.B.7 above.
- iv. A record of the name and volume of each coating, thinner and/or other additive, and cleaning material used during each compliance period. If the facility is using the compliant material option for all coatings at the source, the Permittee may maintain purchase records for each material used rather than a record of the volume used;
- v. A record of the mass fraction of organic HAP for each coating, thinner and/or other additive, and cleaning material used during each compliance period unless the material is tracked by weight;
- vi. A record of the volume fraction of coating solids for each coating used during each compliance period;
- vii. If the facility uses the emission rate without add-on controls compliance option, the density for each coating, thinner and/or other additive, and cleaning material used during each compliance period;
- viii. If the facility uses an allowance in Equation 1 of Section 2.2 A.7.d.ii.B.5 above for organic HAP contained in waste materials sent to or designated for shipment to a treatment, storage, and disposal facility (TSDF) according to Section 2.2 A.7.d.ii.B.5.(d) above, the Permittee shall keep records of the information listed in 40 CFR 63.3930(h); and
- ix. The Permittee shall keep records of the date, time, and duration of each deviation.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 of the above records are not maintained.

Reporting [40 CFR 63.3920]

- i. The Permittee shall submit a summary report of the monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. The report shall contain the following information:
 - i. Company name and address;
 - ii. Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report;
 - iii. Date of report and beginning and ending dates of the reporting period;
 - iv. Identification of the compliance option or options specified in Section 2.2 A.7.d above that the facility used on each coating operation during the reporting period. If the facility switched between compliance options during the reporting period, the Permittee shall report the beginning and ending dates for each option used;
 - v. If the Permittee used the emission rate without add-on controls compliance option (Section 2.2 A.7.d.ii above), the calculation results for each rolling 12-month organic HAP emission rate during the 6-month reporting period;
 - vi. If the Permittee used the predominant activity alternative (Section 2.2 A.7.c.i above), include the annual determination of predominant activity if it was not included in the previous semi-annual compliance report;
 - vii. If the Permittee used the facility-specific emission limit alternative (Section 2.2 A.7.c.ii above), include the calculation of the facility-specific emission limit for each 12-month compliance period during the 6-month reporting period;
 - viii. If there were no deviations from the emission limitations in Section 2.2 A.7.b.i through v above that apply, a statement that there were no deviations from the emission limitations during the reporting period;
 - ix. If the Permittee used the compliant material option and there was a deviation from the applicable organic HAP content requirements in Section 2.2 A.7.b.i through v above, the following information:
 - A. Identification of each coating used that deviated from the applicable emission limit, and each thinner and/or other additive, and cleaning material used that contained organic HAP, and the dates and time periods each was used;
 - B. The calculation of the organic HAP content (using Equation 2 of Section 2.2 A.7.d.i.B.4 above) for each coating identified in Section 2.2 A.7.i.ix.A above. The Permittee does not need to submit background data supporting this calculation (e.g., information provided by coating suppliers or manufacturers, or test reports);
 - C. The determination of mass fraction of organic HAP for each thinner and/or other additive, and cleaning material identified in Section 2.2 A.7.i.ix.A above. The Permittee does not need to submit background data supporting this calculation (e.g., information provided by material suppliers or manufacturers, or test reports); and
 - D. A statement of the cause of each deviation;
 - x. If the Permittee used the emission rate without add-on controls option and there was a deviation from the applicable emission limit in Section 2.2 A.7.b.i through v above, the following information:
 - A. The beginning and ending dates of each compliance period during which the 12-month organic HAP emission rate exceeded the applicable emission limit in Section 2.2 A.7.b.i through v above;

- B. The calculations used to determine the 12-month organic HAP emission rate for the compliance period in which the deviation occurred. The Permittee shall submit the calculations for Equations 1, 1A through 1C, 2, and 3 of Sections 2.2 A.7.d.ii.B.5 through 7 above; and if applicable, the calculation used to determine mass of organic HAP in waste materials according to Section 2.2 A.7.d.ii.B.5.(d) above. The Permittee does not need to submit background data supporting these calculations (e.g., information provided by materials suppliers or manufacturers, or test reports); and
- C. A statement of the cause of each deviation.

State-enforceable only

8. 15A NCAC 2D .0705: EXISTING FACILITIES AND SIC CALLS

- a. As of the **December 20, 2006** (as amended **February 16, 2007**) submittal, emissions of toxic air pollutants have been demonstrated on a facility-wide bases (excluding those sources exempt under 15A NCAC 2Q .0702 “Exemptions”), that each of the toxic air pollutants (TAPs) emitted from all sources at the facility are either below its respective toxic permit emission rates (TPERs) listed in 15A NCAC 2Q .0711 “Emission Rates Requiring a Permit”, or the TAPs are in compliance with 15A NCAC 2D .1100 “Control of Toxic Air Pollutants” as described in Section 2.2 A.4 above.
- b. The facility shall be operated and maintained in such a manner that any new, existing, or increased actual emissions of any TAP listed in 15A NCAC 2Q .0711 or in this permit from all sources at the facility (excluding those sources exempt under 15A NCAC 2Q .0702 “Exemptions”), including fugitive emissions and emission sources not otherwise required to have a permit, will not exceed its respective TPER listed in 15A NCAC 2Q .0711 without first obtaining an air permit to construct or operate.
- c. Prior to exceeding any of the TPERs listed in 15A NCAC 2Q .0711, the Permittee shall be responsible for obtaining an air permit to emit TAPs and for demonstrating compliance with the requirements of 15A NCAC 2D .1100 “Control of Toxic Air Pollutants”.
- d. The Permittee shall maintain at the facility records of operational information sufficient for demonstrating to the Division of Air Quality staff that actual TAPs are less than the rate listed in 15A NCAC 2Q .0711.

2.3 – Permit Shield for Non-Applicable Requirements

The Permittee is shielded from the following non-applicable requirements [15A NCAC 2Q .0512 (a)(1)(B)].

- A. 15A NCAC 2D .0967, Miscellaneous Metal and Plastic Parts Coating, is not applicable to this facility as Reasonably Available Control Technology (RACT) because the facility has applied for and received a permit modification identifying the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (40 CFR 63, Subpart Mmmm) as meeting the requirements of RACT (See Federal Register/Volume 70, No. 288/Tuesday, November 29, 2005/Rules and Regulations.71653-71655). In making this determination, DAQ notes:
 - 1. MACT standards are generally recognized as superior to RACT; therefore complying with MACT is sufficient to comply with RACT; and
 - 2. in order to expedite RACT review, EPA encourages permitting authorities to generally recognize those MACT rules that regulate HAPs, and indirectly VOCs, as superior to RACT.

SECTION 3 - GENERAL CONDITIONS (v3.5)

This section describes terms and conditions applicable to this Title V facility.

A. **General Provisions** [NCGS 143-215 and 15A NCAC 2Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 2D and 2Q.
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 2Q .0507(k) and .0508(i)(9)(B)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environment and Natural Resources upon request.

C. **Severability Clause** [15A NCAC 2Q .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 2Q .0507(e) and 2Q .0508(i)(16)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance
North Carolina Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

All submittals shall include the Facility name and Facility ID number (refer to the cover page of this permit).

E. **Duty to Comply** [15A NCAC 2Q .0508(i)(2)]

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 2Q .0514]

The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 2Q .0514.

2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 2Q .0524 and 2Q .0505]

The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 2Q.0524 and 2Q .0505.

3. Minor Permit Modifications [15A NCAC 2Q .0515]

The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 2Q .0515.

4. Significant Permit Modifications [15A NCAC 2Q .0516]

The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 2Q .0516.

5. Reopening for Cause [15A NCAC 2Q .0517]

The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 2Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements.

Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:

- a. changes in the information submitted in the application;
- b. changes that modify equipment or processes; or
- c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 2Q .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 2Q .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 2Q .0523(c)]

To the extent that emissions trading is allowed under 15A NCAC 2D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 2Q .0523(c).

I.A. Reporting Requirements for Excess Emissions and Permit Deviations

[15A NCAC 2D .0535(f) and 2Q .0508(f)(2)]

"Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 2D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 2Q .0700. (*Note: Definitions of excess emissions under 2D .1110 and 2D .1111 shall apply where defined by rule.*)

"Deviations" - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 2D .0535 as follows:
 - a. Pursuant to 15A NCAC 2D .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 2D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 2Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
 - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 2D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

I.B. Other Requirements under 15A NCAC 2D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 2D .0535, including 15A NCAC 2D .0535(c) as follows:

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

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

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

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
 - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
 - b. the permitted facility was at the time being properly operated;
 - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
 - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. Permit Renewal [15A NCAC 2Q .0508(e) and 2Q .0513(b)]

This permit is issued for a fixed term of five years for facilities subject to Title IV requirements and for a term not to exceed five years in the case of all other facilities. This permit shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete renewal application is submitted at least nine months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 2Q .0512(b)(1), this permit shall not expire until the renewal permit has been issued or denied. All terms and conditions of this permit shall remain in effect until the renewal permit has been issued or denied.

L. Need to Halt or Reduce Activity Not a Defense [15A NCAC 2Q .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 2Q .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 2Q .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 2Q .0508(f) and 2Q .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 2Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;

2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

Q. Certification by Responsible Official [15A NCAC 2Q .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 2Q .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 2Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 2Q .0515.

S. Termination, Modification, and Revocation of the Permit [15A NCAC 2Q .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 2Q .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 2Q .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 2Q .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 2Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 2Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environment and Natural Resources. 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 2Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 2Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 2Q .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 2Q .0107 and 2Q. 0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 2Q .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 2Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 2Q .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 2Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 2Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 2Q .0505 and .0507.

BB. Financial Responsibility and Compliance History [15A NCAC 2Q .0507(d)(4)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. Refrigerant Requirements (Stratospheric Ozone and Climate Protection) [15A NCAC 2Q .0501(e)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR, 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. Prevention of Accidental Releases - Section 112(r) [15A NCAC 2Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. Prevention of Accidental Releases General Duty Clause - Section 112(r)(1) -
FEDERALLY-ENFORCEABLE ONLY

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.

FF. Title IV Allowances [15A NCAC 2Q .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 2D .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 2D .0300.

HH. Registration of Air Pollution Sources [15A NCAC 2D .0200]

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 2D .0202(b).

II. Ambient Air Quality Standards [15A NCAC 2D .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 2D .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 2Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 2D. 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 2D .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 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:
 - (1) 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.
 - (2) Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
 - (3) Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
 - b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 2D .2600 has precedence over all other tests.

KK. Reopening for Cause [15A NCAC 2Q .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 2Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 2Q .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 2Q .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 2Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. During operation the monitoring recordkeeping and reporting requirements as prescribed by the permit shall be implemented within the monitoring period.

MM. Fugitive Dust Control Requirement [15A NCAC 2D .0540] - STATE ENFORCEABLE ONLY

As required by 15A NCAC 2D .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 2D .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 2Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 2Q .0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.

2. For modifications made pursuant to 15A NCAC 2Q .0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 2Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth St., Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
 - a. a description of the change at the facility;
 - b. the date on which the change will occur;
 - c. any change in emissions; and
 - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. Third Party Participation and EPA Review [15A NCAC 2Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environment Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 2Q .0518 begins at the end of the 45-day EPA review period.

ATTACHMENT

List of Acronyms

AOS	Alternate Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
DAQ	Division of Air Quality
DENR	Department of Environment and Natural Resources
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
NESHAPS	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
OAH	Office of Administrative Hearings
PM	Particulate Matter
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound