

DRAFT – November 15, 2006

Mr. Timothy W. Mages  
President and General Manager  
Greensboro Flexible Packaging LLC  
dba: North State Flexibles  
2619 Phoenix Drive  
Greensboro, NC 27406

Dear Mr. Mages:

SUBJECT: Air Quality Permit No. **02221T15**  
Facility ID: 04/41/00823  
Greensboro Flexible Packaging LLC  
dba: North State Flexibles  
Greensboro, Guilford County  
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for renewal of a Title V permit received June 30, 2005 and a Last MACT Toxics Demonstration State Only modification received November 3, 2006, we are forwarding herewith Air Quality Permit No. **02221T15** to Greensboro Flexible Packaging LLC dba: North State Flexibles, 2600 Phoenix Drive, Greensboro, North Carolina authorizing the operation, as outlined in Part I, and the construction, as outlined in Part II, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 2Q .0503 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 of Part I. **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.

Mr. Mages  
XXXX, 2006  
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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.**

**In addition, specific changes and additions as summarized in the attachment below have been made to the permit (note: this list may not include all changes and additions).**

This Air Quality Permit shall be effective from XXXX, 2006 until XXXX, 2011, 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 Ms. Judy Lee at (919) 715-6344.

Sincerely yours,

Donald R. van der Vaart, Ph.D., P.E.  
Chief

Enclosure

c: Winston-Salem Regional Office  
Greg Worley – EPA Region IV  
Central Files

ATTACHMENT to cover letter to Air Quality Permit Number **02221T15** – XXXX, 2006

**Table of Changes**

Old Page No.	New Page No.	Condition No.	Change
		Cover letter and Attachments	Modified to reflect current permit number, effective date, and associated application information and updates Changed mailing address from 2600 to 2619 per facility request
Page 1	Page 1	Cover page	Modified to reflect current permit number, issue and effective date, and associated application information.
Page 3	Page 3	Section 1	Updated Source Descriptions to match IBEAM
Page 4 through Page 10	Page 4 through Page 10	Section 2.1-A. & Table 2.1 A	Updated per current guidance, revised section references, limits/standards description and CAM exemption reference
Page 5 through Page 6	Page 5 through Page 7	Section 2.1-A.1.&3.	Changed Monitoring/Recordkeeping and Reporting Requirements per facility's previous request and based on compliance history to: "c. To assure compliance, the Permittee shall follow the monitoring, recordkeeping, and reporting requirements per Specific Conditions 2.1-A.1.. The Permittee shall be deemed in noncompliance with 2D .0521 if the monitoring and recordkeeping is not maintained."
Page 6 & 7 Page 9	--	Section 2.1-A.4.c. & Section 2.1-A.6.c.	Removed testing requirement - completed on December 14, 2004
Page 11 through Page 14	Page 11 through Page 15	Section 2.2.	Updated per current guidance, revised section references, limits/standards description
Page 13	Page 13	Section 2.2-C.1.	Changed reporting requirement to semi-annual
--	Page 15	Section 2.2.E.	Added Last MACT/Toxics Demonstration to address the requirements in 15A NCAC 2Q .0705(b)
Page 15 through Page 23	Page 15 through Page 23	Section 3	Updated General Conditions and List of Acronyms

ATTACHMENT to Air Quality Permit Number **02221T15** – XXXX, 2006

**Insignificant Activities List**

As provided in 15A NCAC 2Q .0503(7) and (8), certain air emission sources are considered insignificant activities and are not listed on the permit. However, insignificant activities because of size or production rate [15A NCAC 2Q .0503(8)] are required to be listed in the initial permit application and with each request for renewal. The following list summarizes the insignificant activities provided in the Title V permit application. Insignificant activities are not exempted from any applicable requirement or from demonstrating compliance with any applicable requirement.

<b>Emission Source ID.</b>	<b>Emission Source Description</b>	<b>Insignificant Because of: Category or Size/Production Rate</b>
I1	Coater/Laminator	Size/Production Rate
I2	Propyl Alcohol Underground Storage Tank (6,000 gallons)	Size/Production Rate
I3	Propyl Acetate Underground Storage Tank (2,000 gallons)	Size/Production Rate
I4	Mixed Solvent Underground Storage Tank (2,000 gallons)	Size/Production Rate
I5	Seamer used to seal PVC packaging	Size/Production Rate
I6	Plate Making Room and Solvent Still	Size/Production Rate
I7	Ink Mixing, Ink Storage	Size/Production Rate

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

Division of Air Quality



## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.	Effective Date	Expiration Date
02221T15	02221T14	XXXX, 2006	XXXX, 2011

Until such time as this permit expires or is modified or revoked, the below named Permittee is authorized to operate, as outlined in Part I, and to construct, as outlined in Part II, the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 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:** GREENSBORO FLEXIBLE PACKAGING LLC  
dba NORTH STATE FLEXIBLES

**Facility ID:** 01/41/00823

**Facility Site Location:** 2619 Phoenix Drive  
**City, County, State, Zip:** Greensboro, Guilford County, North Carolina, 27406

**Mailing Address:** 2619 Phoenix Drive  
**City, State, Zip:** Greensboro, Guilford County, North Carolina, 27406

**Application Number:** 4100823.05B & 4100823.06A  
**Complete Application Date:** June 30, 2005 & November 3, 2006  
**Renewal Application Due Date:** XXXX, 2011  
**Primary SIC Code:** 2759

**Division of Air Quality,**  
**Regional Office Address:** Winston-Salem Regional Office  
585 Woughtown Street  
Winston-Salem, North Carolina 27107-2241

Permit issued this the XXth day of XXXX, 2006

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

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### **PART I**

SECTION 1: PERMITTED EMISSION SOURCE(S) AND ASSOCIATED  
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(Including specific requirements, testing, monitoring, recordkeeping, and  
reporting requirements)

2.2- Multiple Emission Source(s) Specific Limitations and Conditions  
(Including specific requirements, testing, monitoring, recordkeeping, and  
reporting requirements)

SECTION 3: GENERAL PERMIT CONDITIONS

ATTACHMENT

List of Acronyms

### **PART II**

This permit does not include a Part II.

# PART I

The Division of Air Quality (DAQ), the United States Environmental Protection Agency (EPA), and citizens as defined under the Federal Clean Air Act have the authority to enforce the terms, conditions, and limitations contained in Part I of this permit unless otherwise specified.

Under Title 15A NCAC 2Q, the operation of emission source(s) and associated air pollution control device(s) and appurtenances listed in Part I of this permit is based on plans, specifications, operating parameters, and other information as submitted in the Air Quality Permit Application.

## 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-WH12	52" Wide Web Flexographic Printing Press with ten printing stations and two natural gas-fired bake ovens (0.64 million Btu per hour total maximum heat input)	CD-1	Natural gas-fired Regenerative Thermal Oxidizer (2.9 million Btu per hour heat input)
ES-WH11	52" Wide Web Flexographic Printing Press with ten printing stations and two natural gas-fired bake ovens (0.64 million Btu per hour total maximum heat input)	None	None
ES-U10	49" Wide Web Flexographic Printing Press with eight printing stations and one rotogravure printing station and six natural gas-fired bake ovens (3.56 million Btu per hour total maximum heat input)	None	None
ES-C7	65" Wide Web Flexographic Printing Press with eight printing stations and two natural gas-fired bake ovens (2.0 million Btu per hour total maximum heat input)	CD-1	Natural gas-fired Regenerative Thermal Oxidizer (2.9 million Btu per hour heat input)
ES-MA20	16" Narrow Web Flexographic Printing Press with six printing stations	None	None

## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

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

- A. 52" Wide Web Flexographic Printing Press (**ID No. ES-WH12**) controlled by one Natural gas-fired Regenerative Thermal Oxidizer (2.9 million Btu per hour heat input, **ID No. CD-1**);  
 52" Wide Web Flexographic Printing Press (**ID No. ES-WH11**), Uncontrolled;  
 49" Wide Web Flexographic Printing Press (**ID No. ES-U10**), Uncontrolled;  
 65" Wide Web Flexographic Printing Press (**ID No. ES-C7**), controlled by one Natural gas-fired Regenerative Thermal Oxidizer (2.9 million Btu per hour heat input, **ID No. CD-1**); and  
 16" Wide Web Flexographic Printing Press (**ID No. ES-MA20**), Uncontrolled

Table 2.1 A The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	$E = 4.10P^{0.67}$ where E = allowable emission rate in pounds per hour P = process weight in tons per hour (Presses <b>ID Nos. ES-WH12, ES-WH11, ES-U10, and ES-C7</b> )	15A NCAC 2D .0515
Sulfur dioxide	2.3 pounds per million Btu heat input (Presses <b>ID Nos. ES-WH12, ES-WH11, ES-U10, and ES-C7</b> )	15A NCAC 2D .0516
Visible emissions	20 percent opacity	15A NCAC 2D .0521
Volatile organic compounds	Less than 40 tons per consecutive twelve month period ( <b>Press ID No. ES-WH12</b> )	15A NCAC 2Q .0317 for 15A NCAC 2D .0530
Volatile organic compounds	Less than 197 tons per consecutive twelve month period ( <b>Press ID No. ES-WH11</b> )	15A NCAC 2Q .0317 for 15A NCAC 2D .0530
Volatile organic compounds	Less than 64 tons per consecutive twelve month period (Presses <b>ID No. ES-C7 and ES-MA20</b> )	15A NCAC 2Q .0317 for 15A NCAC 2D .0530
Volatile organic compounds	Less than 85 tons per consecutive twelve month period ( <b>Press ID No. ES-U10</b> )	15A NCAC 2Q .0317 for 15A NCAC 2D .0530
Volatile organic compounds	Compliance assurance monitoring (CAM) - See Section 2.1-A.4. & 2.1-A.6.	15A NCAC 2Q .0317 for 15A NCAC 2D .0614(b)(1)(F)
Volatile organic compounds	Work practice standards - See Section 2.2-B	15A NCAC 2D .0958

Regulated Pollutant	Limits/Standards	Applicable Regulation
Hazardous air pollutants	Use less than 10 tons per each rolling 12-month period of each HAP, <b>and</b> Use less than 25 tons per each rolling 12-month period of a combination of HAP at the facility (See Section 2.2-C. - Multiple Emission Sources)	15A NCAC 2Q .0317 for 15A NCAC 2D .1111 and [40 CFR 63.820(a)(2)(i) and (a)(2)(ii)]
Odors	See Section 2.2-A.; <b>State-enforceable only</b>	15A NCAC 2D .1806
Toxic air pollutants	Control of Toxic Air Pollutants – emission rates requiring a permit; <b>State Enforceable Only</b> (See Section 2.2-D. - Multiple Emission Sources)	15A NCAC 2Q .0711

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

- a. Emissions of particulate matter from the flexographic printing presses (**ID Nos. ES-WH12, ES-WH11, ES-U10, and ES-C7**) shall not exceed an allowable emission rate as calculated by the following equation: [15A NCAC 2D .0515(a)]

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

$$P = \text{process weight in tons per hour}$$

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

**Testing** [15A NCAC 2Q .0501 (c)(3)]

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

- c. The Permittee shall maintain a record of the process weight in tons per hour that demonstrates compliance with the allowable emission rate in pounds per hour above (as specified by the formula contained above) on file and make this record available to a DAQ authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0515 if the record of compliance with the above emission rate is not maintained on site.
- d. No reporting is required for the process weight in tons per hour once compliance is demonstrated with the allowable emission rate in pounds per hour.

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

- a. Emissions of sulfur dioxide from the flexographic printing presses (**ID Nos. ES-WH12, ES-WH11, ES-U10, and ES-C7**) 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. [15A NCAC 2D .0516]

**Testing** [15A NCAC 2D .0501(c)(4)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(4) and General Condition JJ found in Section 3. 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 combustion of natural gas in the bake ovens.

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

- a. Visible emissions from the flexographic printing presses (**ID Nos. ES-WH12, ES-WH11, ES-U10, and ES-C7**) 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. [15A NCAC 2D .0521(d)]

**Testing** [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 A. 3. a. (**ID Nos. ES-WH12, ES-WH11, ES-U10, ES-C7, and ES-MA20**) above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

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

- c. To assure compliance, the Permittee shall follow the monitoring, recordkeeping, and reporting requirements per Specific Conditions 2.1.A.1.c. & d.. The Permittee shall be deemed in noncompliance with 2D .0521 if the monitoring and recordkeeping is not maintained.

4. **15A NCAC 2Q .0317: AVOIDANCE CONDITIONS for**  
**15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION AND**  
**15A NCAC 2D .0614: COMPLIANCE ASSURANCE MONITORING [2D .0614(b)(1)(F)]**

- a. In order to avoid applicability of this regulation (15A NCAC 2D .0530 as requested by the Permittee), the volatile organic compound (VOC) emissions from the flexographic printing presses (**ID Nos. ES-C7 and ES-MA20**) shall be less than 64 tons per consecutive twelve month period. [15A NCAC 2D .0530]

**Testing**

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501 and General Condition JJ. If the results of this test are above the limit given in Section 2.1-A. 4. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530.

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

- c. The Permittee shall calculate the VOC emissions from flexographic printing press (**ID No. ES-MA20**) on a monthly basis to ensure compliance with condition 2.1 A. 4. a. above. 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 or the VOC emissions are not monitored and recorded.
- d. The Permittee shall calculate the VOC emissions from flexographic printing press (**ID No. ES-C7**) on a monthly basis to ensure compliance with condition 2.1-A. 4. a. above. The oxidizer is required to be operated only as necessary to achieve compliance with the VOC limitation in Specific Condition 2.1-A. 4. a. above. VOC emissions shall be determined by the following:
- i. When the regenerative thermal oxidizer (RTO) is in operation, the VOC emissions shall be calculated by multiplying the total amount of each type of VOC-containing material consumed during the period in which the regenerative thermal oxidizer is operational by the VOC content of the material and multiplying by 0.14. (The 0.14 value is the product of the tested capture efficiency (88%) and tested destruction efficiency (98%)). The Permittee shall record and maintain records of the hours of operation of the oxidizer. In order to ensure proper operation and destruction efficiency of the regenerative thermal oxidizer the Permittee shall maintain a minimum chamber temperature of **1450** degrees F. The Permittee shall record the chamber temperature on a continuous basis when the oxidizer is operational;
  - ii. When the RTO is operated at a temperature below the minimum chamber temperature specified above or if the temperature is not monitored, the RTO shall be deemed not in operation and the VOC emissions shall be determined as specified per condition 2.1-A. 4. d.(iii.) below; and
  - iii. When the RTO is not in operation, the VOC emissions shall be determined by multiplying the total amount of each type of VOC-containing material consumed during the period 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 and/or the VOC emissions are not monitored and recorded.

- e. The VOC emissions from the flexographic printing press (**ID No. ES-C7**) shall be controlled by the RTO, as necessary to achieve compliance with the VOC limitation in Specific Condition 2.1-A. 4. a. above. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer, if any. As a minimum, the inspection and maintenance program shall include:
  - i. monthly external inspection of the structural integrity of the oxidizer;
  - ii. annual (for each 12 month period following the initial inspection) internal inspection of the oxidizer noting the structural integrity, including inspection of the valves for leakage; and
  - iii. annual (for each 12 month period following the initial inspection) inspection of the burner.
 The RTO shall be deemed not in operation and the VOC emissions shall be determined as specified per condition 2.1-A. 4. d.(iii.) above, if the RTO is not inspected and maintained.
  
- f. The results of inspection and maintenance for the RTO shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
  - i. the date and time of each recorded action;
  - ii. the results of each inspection; and
  - iii. the results of any maintenance performed on the RTO.
 The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if these records are not maintained.
  
- g. Calculations and the total amount of VOC emissions from flexographic printing presses (**ID No. ES-C7 and ES-MA20**) shall be recorded monthly in a logbook (written or electronic format), maintained on-site and made available to officials of the Division of Air Quality, upon request. The Permittee must keep each entry in the log and all required records on file for a minimum of five years. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if the VOC emissions exceed the limit in Specific Condition 2.1-A. 4. a. above.

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

- h. 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. The report shall contain the following:
  - i. The monthly VOC emissions shall be totaled for the previous seventeen months. The emissions shall be calculated for each of the twelve month periods over the previous seventeen months.

**5. 15A NCAC 2Q .0317: AVOIDANCE CONDITIONS for 15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. In order to avoid applicability of this regulation (15A NCAC 2D .0530 as requested by the Permittee), the volatile organic compound (VOC) emissions from the flexographic printing presses (ID Nos. ES-WH11 and ES-U10) shall not exceed the following permit limits during any consecutive twelve month period [15A NCAC 2D .0530]:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile Organic Compounds	Less than 197 tons per consecutive twelve month period for flexographic printing press Windmoeller Hoelscher 11 (ID No. ES-WH11)	15A NCAC 2Q .0317
	Less than 85 tons per consecutive twelve month period for flexographic printing press Uteco 10 (Press ES-U10)	

**Testing**

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501 and General Condition JJ. If the results of this test are above the limit given in Section 2.1-A. 5. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530.

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

- c. The Permittee shall calculate the VOC emissions on a monthly basis to ensure compliance with condition 2.1 A. 5. a. above. 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 from each press in operation. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if the amounts of VOC containing materials or the VOC emissions are not monitored and recorded.
- d. 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)]

- e. 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. The report shall contain the following:
- i. The monthly VOC emissions shall be totaled for the previous seventeen months. The emissions shall be calculated for each of the twelve month periods over the previous seventeen months.

**15A NCAC 2Q .0317: AVOIDANCE CONDITIONS for**

**6. 15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION AND  
15A NCAC 2D .0614: COMPLIANCE ASSURANCE MONITORING [2D .0614(b)(1)(F)]**

- a. In order to avoid applicability of this regulation (15A NCAC 2D .0530 as requested by the Permittee), the combined volatile organic compound (VOC) emissions from the flexographic printing press (**ID No. ES-WH12**) shall be less than 40 tons per consecutive twelve month period. [15A NCAC 2D .0530]

**Testing**

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501 and General Condition JJ. If the results of this test are above the limit given in Section 2.1-A. 6. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530.

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

- c. The Permittee shall calculate the VOC emissions on a monthly basis to ensure compliance with condition 2.1-A. 6. a. above. The oxidizer is required to be operated only as necessary to achieve compliance with the VOC limitation in Specific Condition 2.1-A. 6. a. above. VOC emissions shall be determined by the following:
- i. When the regenerative thermal oxidizer (RTO) is in operation, the VOC emissions shall be calculated by multiplying the total amount of each type of VOC-containing material consumed during the period in which the regenerative thermal oxidizer is operational by the VOC content of the material and multiplying by 0.14. (The 0.14 value is the product of the tested capture efficiency (88%) and tested destruction efficiency (98%)). The Permittee shall record and maintain records of the hours of operation of the oxidizer. In order to ensure proper operation and destruction efficiency of the regenerative thermal oxidizer the Permittee shall maintain a minimum chamber temperature of **1450** degrees F. The Permittee shall record the chamber temperature on a continuous basis when the oxidizer is operational;
- ii. When the RTO is operated at a temperature below the minimum chamber temperature specified above or if the temperature is not monitored, the RTO shall be deemed not in operation and the VOC emissions shall be determined as specified per condition 2.1-A. 6. c.(iii.) below; and

iii. When the RTO is not in operation, the VOC emissions shall be determined by multiplying the total amount of each type of VOC-containing material consumed during the period 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 and/or the VOC emissions are not monitored and recorded.

d. The VOC emissions from the flexographic printing press (**ID No. ES-WH12**) shall be controlled by the RTO, as necessary to achieve compliance with the VOC limitation in Specific Condition 2.1-A. 6. a. above. To assure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer, if any. As a minimum, the inspection and maintenance program shall include:

- i. monthly external inspection of the structural integrity of the oxidizer;
- ii. annual (for each 12 month period following the initial inspection) internal inspection of the oxidizer noting the structural integrity, including inspection of the valves for leakage; and
- iii. annual (for each 12 month period following the initial inspection) inspection of the burner.

The RTO shall be deemed not in operation and the VOC emissions shall be determined as specified per condition 2.1-A. 6. c.(iii.) above, if the RTO is not inspected and maintained.

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

- i. the date and time of each recorded action;
- ii. the results of each inspection; and
- iii. the results of any maintenance performed on the RTO.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if these records are not maintained.

f. Calculations and the total amount of VOC emissions shall be recorded monthly in a logbook (written or electronic format), maintained on-site and made available to officials of the Division of Air Quality, upon request. The Permittee must keep each entry in the log and all required records on file for a minimum of five years. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0530 if the VOC emissions exceed the limit in Specific Condition 2.1-A. 6. a. above.

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

g. 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. The report shall contain the following:

- i. The monthly VOC emissions shall be totaled for the previous seventeen months. The emissions shall be calculated for each of the twelve month periods over the previous seventeen months.

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

### A. All emission sources

Table 2.2 A The above emission sources are subject to this multiple emission source limit:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Odors	odorous emissions must be controlled; <b>State-enforceable only</b>	15A NCAC 2D .1806

### STATE-ONLY REQUIREMENT: ODOR REQUIREMENTS

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

- a. The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

### B. All emission sources

Table 2.2 B The above emission sources are subject to this multiple emission source limit:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	work practice standards	15A NCAC 2D .0958

#### 1. 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 volatile organic compounds, or emit volatile organic compounds as a product of chemical reactions, and whose emissions of VOC are greater than 15 pounds per day; the Permittee shall:
  - i. store all material, including waste material, containing volatile organic compounds 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 volatile organic compounds as soon as possible following proper safety procedures,
  - iii. store wipe rags containing volatile organic compounds in closed containers,
  - iv. not clean sponges, fabric, wood, paper products, and other absorbent materials with volatile organic compounds,
  - v. transfer solvents containing volatile organic compounds 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 volatile organic compounds 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. [15A NCAC 2D .0958(c)]
- b. When cleaning parts with a solvent containing a volatile organic compound, 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. [15A NCAC 2D .0958(d)]

**Monitoring**

- 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 volatile organic compounds. 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.

**Recordkeeping**

- 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 15A NCAC 2D .0958.

**Reporting**

- e. The Permittee shall submit a summary report of the observations by January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**C. Facility-wide emission sources**

Table 2.2 C The above emission sources are subject to this multiple emission source limit:

<b>Regulated Pollutant</b>	<b>Limits/Standards</b>	<b>Applicable Regulation</b>
Hazardous air pollutants (HAP)	Use less than 10 tons per each rolling 12-month period of each HAP at the facility, including materials used for source categories or purposes other than printing and publishing,  <b>and</b>  Use less than 25 tons per each rolling 12-month period of a combination of HAP at the facility, including materials used for source categories or purposes other than printing and publishing	15A NCAC 2Q .0317 for 15A NCAC 2D .1111 and 40 CFR 63.820(a)(2)(i) and (a)(2)(ii)

**15A NCAC 2Q .0317: AVOIDANCE CONDITIONS for**

**1. 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY AND 40 CFR PART 63, SUBPART KK: NATIONAL EMISSION STANDARDS FOR THE PRINTING AND PUBLISHING INDUSTRY**

- a. The Permittee has chosen to commit to, and meet the criteria of 40 CFR 63.820(a)(2)(i) and (a)(2)(ii) for the purposes of establishing the facility to be an area source with respect to this MACT standard. In order to remain classified a minor source for hazardous air pollutants and avoid applicability of this regulation, facility emissions shall be less than:
  - i. 10 tons per each rolling 12-month period of each HAP, and
  - ii. 25 tons per rolling 12-month period of any combination of HAP, including materials used for source categories or purposes other than printing and publishing.

The Permittee shall be deemed in noncompliance with this condition and 2D .1111 (Subpart KK entitled “National Emission Standards for the Printing and Publishing Industry”) if the HAP emissions exceed this limit.

**Monitoring Requirements** [15A NCAC 2D .1111]

- b. Pursuant to 40 CFR 63.829(d), the Permittee shall maintain records of all required measurements and calculations needed to demonstrate compliance with paragraph (a) above, including the mass of all HAP containing materials used and the mass fraction of HAP present in each HAP containing material used, on a monthly basis.
- c. Calculations of the total amount of each HAP and any combination of HAP used shall be recorded monthly in a logbook (written or electronic format) maintained on-site and made available to an authorized representative upon request.

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

- d. The Permittee shall submit a semi-annual summary report, acceptable to the Regional Air Quality Supervisor, 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. The report shall contain the following:
  - i. The monthly total of HAP used at the facility for the previous 17 months for each HAP and any combination of HAP. The HAP usage shall be calculated for each of the 12-month periods over the previous 17 months.

**D. Facility-wide emission sources**

Table 2.2.D. The above emission sources are subject to this multiple emission source limit:

<b>Regulated Pollutant</b>	<b>Limits/Standards</b>	<b>Applicable Regulation</b>
Formaldehyde	0.04 lbs/hour	15A NCAC 2Q .0711
Methyl isobutyl ketone	52 lbs/day and 7.6 lbs/hour	15A NCAC 2Q .0711
Toluene	98 lbs/day and 14.4 lbs/hour	15A NCAC 2Q .0711
Xylene	57 lbs/day and 16.4 lbs/hour	15A NCAC 2Q .0711

**STATE-ONLY REQUIREMENT:**

**1. 15A NCAC 2Q .0711: TOXIC AIR POLLUTANT EMISSIONS LIMITATION**

- a. Pursuant to 15A NCAC 2Q .0711 a permit to emit toxic air pollutants shall be required for any facility whose actual (or permitted if higher) rate of emissions from all sources are greater than any one of the following toxic air pollutant permitting emission rates (TPER):
  - i. total emissions of formaldehyde shall not exceed 0.04 pounds per hour;
  - ii. total emissions of methyl isobutyl ketone shall not exceed 52 pounds per day and 7.6 pounds per hour;
  - iii. total emissions of toluene shall not exceed 98 pounds per day and 14.4 pounds per hour;
  - iv. total emissions of xylene shall not exceed 57 pounds per day and 16.4 pounds per hour.
- b. All emission sources at the facility shall be operated and maintained in such a manner that emissions of any listed toxic air pollutant from the facility, including fugitive emissions, will not exceed the TPERs listed above.
- c. The Permittee shall maintain records of operational information demonstrating that the toxic air pollutant emissions do not exceed the TPERs listed above.

**STATE ENFORCEABLE ONLY**

**E. 15A NCAC 2Q .0705: EXISTING FACILITIES AND SIC CALLS for TOXIC AIR POLLUTANT EMISSIONS LIMITATION REQUIREMENT**

- a. As of 11/3/2006 emissions of toxic air pollutants have been demonstrated on a facility-wide basis (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 (TPER) 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 above in Section 2.2-D. of this permit.
- 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.
- e. The TPER table (Table 2.2 D) listed in Section 2.2-D. above, is provided to assist the Permittee in determining when an air permit is required pursuant to 15A NCAC 2Q .0711 and may not represent all TAPs being emitted from the facility. This table will be updated at such time as the permit is either modified or renewed.

## SECTION 3 - GENERAL CONDITIONS

This section describes terms and conditions applicable to this Title V facility. All references to the “permit” in this section apply only to Part I of the permit.

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

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(aa)]

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)]

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(c)]

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

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

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. 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.
2. 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.
3. 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 on the next business day after becoming aware of the deviation. A written report shall be submitted within two business days to the Regional Supervisor and shall include the probable cause of such deviation and any corrective actions or preventative actions taken. All reports of deviations from permit requirements shall be certified by a responsible official.

**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 .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(k)]

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(n)]

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)]

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(t)]

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(m)]**

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(r) 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(o)]

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(n)]

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(g)]

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(h)]

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(e)]

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(aa)]

If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ in support of a permit application, the Permittee shall perform such testing in accordance with the appropriate EPA reference method(s) as approved by the DAQ and follow the procedures outlined below. The Permittee must request **in writing** and receive approval from the DAQ for an alternate test method or procedure.

1. The Permittee shall submit a completed Protocol Submittal Form to the DAQ Regional Supervisor at least 45 days prior to the scheduled test date. A copy of the Protocol Submittal Form may be obtained from the Regional Supervisor.
2. The Permittee shall notify the Regional Supervisor of the specific test dates at least 15 days prior to testing in order to afford the DAQ the opportunity to have an observer on-site during the sampling program.
3. During all sampling periods, the Permittee shall operate the emission source(s) under maximum normal operating conditions or alternative operating conditions as deemed appropriate by the Regional Supervisor or his delegate.
4. The Permittee shall submit **two** copies of the test report to the DAQ. The test report shall contain at a minimum the following information:
  - a. a certification of the test results by sampling team leader and facility representative;
  - b. a summary of emissions results and text detailing the objectives of the testing program, the applicable state and federal regulations, and conclusions about the testing and compliance status of the emission source(s);
  - c. a detailed description of the tested emission source(s) and sampling location(s) process flow diagrams, engineering drawings, and sampling location schematics should be included as necessary;
  - d. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;

- e. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
  - f. documentation of facility operating conditions during all testing periods and an explanation relating these operating conditions to maximum normal operation. If necessary, provide historical process data to verify maximum normal operation.
5. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
  6. The DAQ will review emission test results with respect exclusively to the specified testing objectives as proposed by the Permittee and approved by the DAQ. The use of the test results beyond the stated objectives remains subject to the approval of the DAQ.

**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(f)]

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.

## ATTACHMENT

### List of Acronyms

<b>AOS</b>	Alternate Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>Btu</b>	British thermal unit
<b>CEM</b>	Continuous Emission Monitor
<b>CFR</b>	Code of Federal Regulations
<b>CAA</b>	Clean Air Act
<b>DAQ</b>	Division of Air Quality
<b>DENR</b>	Department of Environment and Natural Resources
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>HAP</b>	Hazardous Air Pollutant
<b>MACT</b>	Maximum Achievable Control Technology
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAPS</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>OAH</b>	Office of Administrative Hearings
<b>PM</b>	Particulate Matter
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound