



North Carolina Department of Environment and Natural Resources  
Division of Air Quality

Beverly Eaves Perdue  
Governor

Sheila C. Holman  
Director

Dee Freeman  
Secretary

date, 2011

Mr. Wayne Simmons  
Director of Operations  
Plantation Pipe Line Company  
1100 Alderman Drive  
Alpharetta, GA 30005

Dear Mr. Simmons:

SUBJECT: Air Quality Permit No. **03980T11**  
Facility ID: 4100268  
Plantation Pipe Line Company  
Greensboro, North Carolina  
Guilford County  
Fee Class: Title V

In accordance with your completed Air Quality Permit Application for **renewal** of your Title V permit received **June 29, 2010**, we are forwarding herewith Air Quality Permit No. **03980T11** to Plantation Pipe Line Company, 6907-A West Market Street, Greensboro, Guilford County, North Carolina, authorizing the **construction and operation** of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code **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, NC 27604  
Phone: 919-715-6237 \ FAX: 919-733-5317 \ Internet: [www.daq.state.nc.us](http://www.daq.state.nc.us)

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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** to **date, 2015**, 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 Mr. Mark J. Cuilla, E.I.T., at (919) 733-1499 or [Mark.Cuilla@ncdenr.gov](mailto:Mark.Cuilla@ncdenr.gov).

Sincerely yours,

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

Enclosure

c: Gregg Worley, EPA Region 4 (with review)  
Murray Clayton, PPLC, PO Box 18306, Greensboro, NC 27419  
Winston-Salem Regional Office  
Central Files

**ATTACHMENT to Cover Letter to Air Quality Permit Number 03980T11**

**Table of Changes**

<b>Pages</b>	<b>Section</b>	<b>Description of Changes</b>
Attachment	Insignificant Activities	-added two fire pumps with associated asterisked language of MACT, Subpart ZZZZ applicability
Cover	-	-amended all dates and permit revision numbers
All	Header	-amended permit revision number
3-4	Equipment table	-amended description of tanks (ID Nos. GN170, GN171, and GN172) to modify them from gasoline to distillate service and remove MACT Subpart R applicability -amended description of tank (ID No. GNCT-1) to modify it from gasoline to transmix service and remove MACT Subpart R applicability
5	2.1 A 2.1 A.1.a 2.1 A.1.b	-removed reference to tank (ID No. GNCT-1) -removed reference to tank (ID No. GNCT-1) -removed reference to tank (ID No. GNCT-1)
5-6	2.1 A.1.c	-updated shell language
6	2.1 B 2.1 B.1.b  2.1 B.1.d  2.1 B.1.e  2.1 B.1.f	-clarified applicable equipment descriptions -added ID numbers (removed tanks GN170, GN171 and GNCT-1) -added ID numbers (removed tanks GN170, GN171 and GNCT-1) -added ID numbers (removed tanks GN170, GN171 and GNCT-1) -added ID numbers (removed tanks GN170, GN171 and GNCT-1)
7	2.1 B.1.g  2.1 B.1.h 2.1 C (old) 2.1 C (new; table) 2.1 C.1.d	-added ID numbers (removed tanks GN170, GN171 and GNCT-1) -updated shell language -removed section and renumbered subsequent sections -added NSPS designation -updated shell language
9	2.1 D (new) 2.1 D (table)	-clarified applicable equipment descriptions -added MACT title and subpart designation
8-13	2.1 D.1.d-i	-added MACT detailed permit language
14-24	General Conditions	-updated shell conditions (v3.3)
25	List of Acronyms	-added acronyms for CAIR, NAA, and RACT

**ATTACHMENT to Air Quality Permit Number 03980T11**

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

<b>Emission Source ID</b>	<b>Emission Source Description</b>
I-GNDYE	One above ground horizontal fixed roof red dye storage tank (1,000 gallon capacity)
I-GNHTF	One above ground vertical fixed roof kerosene storage tank (20,307 gallon capacity)
I-GNSUMP3	One underground horizontal fixed roof gasoline sump (4,000 gallon capacity)
I-GNSUMP4	One underground horizontal fixed roof kerosene sump (4,000 gallon capacity)
I-GNSUMP5	One underground horizontal fixed roof gasoline sump (5,000 gallon capacity)
I-GNSUMP6	One underground horizontal fixed roof kerosene sump (5,000 gallon capacity)
I-GNSUMP7	One underground horizontal fixed roof gasoline sump (3,378 gallon capacity)
I-GNWDT4	One above ground vertical fixed roof oil/water phase separator (18,460 gallon capacity)
I-GNRT-1	One above ground vertical fixed roof kerosene storage tank (16,920 gallon capacity)
I-GNFNWDT	One draw trough used to drain the tanks so that petroleum/water can be separated and piped to the appropriate holding tank (maximum of 365 batches per year at 87 cubic feet per batch)
I-GNFSWDT	One draw trough used to drain the tanks so that petroleum/water can be separated and piped to the appropriate holding tank (maximum of 365 batches per year at 29 cubic feet per batch)
I-GNSEP3	One underground gasoline/water separator (8.3 gallons per hour flow rate capacity)
I-GNSEP4	One underground fuel/water separator (8.3 gallons per hour flow rate capacity)
I-GNOH2O	One underground oil/water separator (8.3 gallons per hour flow rate capacity)
I-GNFEQP	Fugitive emissions from valves, flanges, fittings, and pumps
I-PRT	One underground product recovery tank (250 gallon capacity)
<b>I-GN Fuel Farm<sup>3</sup> (MACT, Subpart ZZZZ)</b>	<b>One Cummins diesel-fired emergency fire pump (208 Hp)</b>
<b>I-GN Gas Farm<sup>3</sup> (MACT, Subpart ZZZZ)</b>	<b>One Detroit Diesel diesel-fired emergency fire pump (238 Hp)</b>

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".
3. For additional information regarding the applicability of MACT/GACT see the DAQ page titled "The Regulatory Guide for Insignificant Activities/Permits Exempt Activities". The link to this site is as follows: <http://daq.state.nc.us/permits/insig/>



## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.	Effective Date	Expiration Date
<b>03980T11</b>	<b>03980T10</b>	<b>date, 2011</b>	<b>date, 2016</b>

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:** **Plantation Pipe Line Company**

**Facility ID:** **4100268**

**Facility Site Location:** **6907-A West Market Street**  
**City, County, State, Zip:** **Greensboro, Guilford County, North Carolina 27409**  
**Mailing Address:** **1100 Alderman Drive**  
**City, State, Zip:** **Alpharetta, Georgia 30005**

**Application Number:** **4100268.10A**  
**Complete Application Date:** **June 29, 2010**

**Primary SIC Code:** **4613**  
**Division of Air Quality,**  
**Regional Office Address:** **Winston-Salem Regional Office**  
**585 Waughtown Street**  
**Winston-Salem, North Carolina 27107**

**Permit issued this the xxx day of xxxx, 2011**

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

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SECTION 3: GENERAL PERMIT CONDITIONS

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:

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>	<b>Control Device ID No.</b>	<b>Control Device Description</b>
GN115 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,115,498 gallon capacity) with tank rim seal system	NA	NA
GN116 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,113,188 gallon capacity) with tank rim seal system	NA	NA
GN117 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,117,052 gallon capacity) with tank rim seal system	NA	NA
GN118 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,112,012 gallon capacity) with tank rim seal system	NA	NA
GN119 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,111,676 gallon capacity) with tank rim seal system	NA	NA
GN120 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,112,264 gallon capacity) with tank rim seal system	NA	NA
GN121 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,113,525 gallon capacity) with tank rim seal system	NA	NA
GN122 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,112,348 gallon capacity) with tank rim seal system	NA	NA
GN123 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,114,574 gallon capacity) with tank rim seal system	NA	NA
GN128 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,099,286 gallon capacity) with tank rim seal system	NA	NA
GN129 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,098,656 gallon capacity) with tank rim seal system	NA	NA
GN144 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,101,974 gallon capacity) with tank rim seal system	NA	NA
GN145 <b>(MACT, Subpart R)</b>	One above ground internal floating roof gasoline storage tank (2,099,580 gallon capacity) with tank rim seal system	NA	NA

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
GN153 (MACT, Subpart R; NSPS, Subpart K)	One above ground internal floating roof gasoline storage tank (2,152,080 gallon capacity) with tank rim seal system	NA	NA
GN154 (MACT, Subpart R; NSPS, Subpart K)	One above ground internal floating roof gasoline storage tank (2,151,828 gallon capacity) with tank rim seal system	NA	NA
GN155 (MACT, Subpart R; NSPS, Subpart K)	One above ground internal floating roof gasoline storage tank (2,150,106 gallon capacity) with tank rim seal system	NA	NA
GN170*	One above ground external pontoon style floating roof <b>distillate fuel</b> storage tank (3,024,000 gallon capacity) with tank rim seal system	NA	NA
GN171*	One above ground external pontoon style floating roof <b>distillate fuel</b> storage tank (3,024,000 gallon capacity) with tank rim seal system	NA	NA
GN172*	One above ground vertical fixed roof <b>distillate fuel</b> storage tank (4,313,400 gallon capacity)	NA	NA
GN173 (MACT, Subpart R)	One above ground internal pontoon style floating roof gasoline storage tank (1,486,800 gallon capacity) with tank rim seal system	NA	NA
GN174*	One above ground vertical fixed roof kerosene storage tank (1,570,800 gallon capacity)	NA	NA
GN175 (MACT, Subpart R)	One above ground internal pontoon style floating roof gasoline storage tank (1,461,600 gallon capacity) with tank rim seal system	NA	NA
GNCT-1*	One above ground internal pontoon style floating roof <b>transmix</b> storage tank (93,954 gallon capacity) with tank rim seal system	NA	NA
GNWDT3*	One above ground vertical fixed roof oil/water phase separator (19,500 gallon capacity)	NA	NA

\* Sources identified with an asterisk have no applicable requirements under the North Carolina SIP, but their emissions are greater than the thresholds under 15A NCAC 2Q .0503(8); therefore, these sources are permitted pursuant to 15A NCAC 2Q .0508(z). **Transmix is a mixture of gasoline and other petroleum distillates but is not used as a fuel for internal combustion engines; therefore it does not meet the definition of gasoline [FR Vol. 76 No. 15, Pages 4173-4174].**

## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

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

**A. Eighteen above ground internal floating roof gasoline storage tanks (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	-Internal floating roof with seals -All openings equipped with covers, lids, or seals -No visible holes, tears, or other openings in the seals	15A NCAC 2D .0925

#### 1. 15A NCAC 2D .0925: PETROLEUM LIQUID STORAGE IN FIXED ROOF TANKS

- a. Each source (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175) with a capacity greater than 39,000 gallons containing volatile petroleum liquids whose true vapor pressure is greater than 1.52 psia shall not be operated unless:
  - i. each storage vessel has been retrofitted with an internal floating roof equipped with a closure seal, or seals, to close the space between the roof edge and tank wall;
  - ii. all openings, except stub drains, are equipped with covers, lids, or seals such that:
    - A. the cover, lid, or seal is in the closed position at all times except when in actual use;
    - B. automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports; and
    - C. rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer’s recommended setting; and
  - iii. the storage vessel is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or materials.

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

- b. Inspection and maintenance on these sources (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175) shall be performed as follows:
  - i. routine visual inspections shall be conducted through roof hatches once per month; and
  - ii. a complete inspection of the floating roof and seal shall be conducted whenever the tank is emptied for maintenance, shell inspection, cleaning, or for other non-operational reasons or whenever excessive vapor leakage is observed.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0925 if the tanks are not inspected and maintained.
- 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. reports of the results of the required inspections;

- ii. the average monthly storage temperature, and true vapor pressures of petroleum liquids stored; and
- iii. the throughput quantities and types of petroleum liquids for each storage vessel.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0925 if these records are not maintained.

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

- d. 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 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. Facility-wide affected sources (the entire facility is subject to this regulation; however, only the vessels storing gasoline are required to meet the applicable standards.)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	-Gasoline shall not be discarded in sewers or stored in open containers -Gasoline storage tanks shall be painted white or silver -External floating roof gasoline tanks with an inside diameter of 100 feet or less shall be equipped with a self-supporting roof -Rim-mounted secondary seals on all external and internal floating roof gasoline tanks -Welded seams where possible, otherwise gaskets on roof and deck fitting for gasoline tanks -Floats in the slotted guide poles with a gasket around the cover of the poles for gasoline tanks	15A NCAC 2D .0927

**1. 15A NCAC 2D .0927: BULK GASOLINE TERMINALS**

- a. Except as provided in this permit, gasoline shall not be discarded in sewers or stored in open containers or handled in any way that would result in evaporation.
- b. All tanks used for gasoline storage (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175) are to be painted white or silver at the next scheduled painting or by December 1, 2002, whichever comes first, excluding any tanks already painted white or silver.
- c. All external floating roof tanks with an inside diameter of 100 feet or less used to store gasoline shall be equipped with a self-supporting roof, such as a geodesic dome, at the next time that the tank is taken out of service or by December 1, 2002, whichever occurs first.
- d. All external and internal floating roof tanks storing gasoline (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175) shall be equipped with rim-mounted secondary seals.
- e. All tanks storing gasoline (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, and GN175) shall be equipped with gaskets on deck fittings.
- f. All tanks storing gasoline (ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175) shall be equipped with floats in the slotted guide poles with a gasket around the cover of the poles.

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

- g. To assure compliance, the Permittee shall perform monthly inspections and perform maintenance on the tanks storing gasoline (**ID Nos. GN115 through GN123, GN128, GN129, GN144, GN145, GN153 through GN155, GN173, and GN175**) 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 requirements must include a monthly external inspection of the structural integrity of the tanks. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0927 if the tanks are not inspected and maintained.
- h. **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 reports of the results of the required inspections. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0927 if these records are not maintained.**

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

- 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 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. Three above ground internal floating roof gasoline storage tanks (ID Nos. GN153 through GN155)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	-Tanks shall be retrofitted with an internal floating roof	15A NCAC 2D .0524 <b>(40 CFR 60, Subpart K)</b>

**1. 15A NCAC 2D .0524: NEW SOURCE PERFORMANCE STANDARDS**

- a. The Permittee shall comply with the requirements of 40 CFR 60, Subpart A “General Provisions.”
- b. The Permittee shall comply with the requirements of 40 CFR 60, Subpart K, including equipping these tanks (**ID Nos. GN153 through GN155**) storing petroleum liquids with a true vapor pressure of between 1.5 and 11.1 psia with an internal floating type cover.

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

- c. The Permittee shall perform the monitoring and recordkeeping (written or electronic) requirements of 40 CFR 60.113.

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

- d. 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 for the preceding six-month period between January and June. **All instances of deviations from the requirements of this permit must be clearly identified.**

**D. Facility-wide affected sources (the entire facility is subject to this regulation; however, only the vessels storing gasoline are required to meet the applicable standards.)**

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

Regulated Pollutant	Limits/Standards	Applicable Regulation
Volatile organic compounds	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	15A NCAC 2D .1111 (40 CFR 63, Subpart R)

**1. 15A NCAC 2D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**

- a. Plantation Pipe Line Company is “an existing” affected source. The pump station operations at this facility shall comply with all requirements of 15A NCAC 2D .1111 “Maximum Achievable Control Technology” and 40 CFR Part 63 Subpart R “National Emission Standards for Gasoline Distribution Facilities.”
- b. For the purpose of this permit condition, the definitions and nomenclature contained in 40 CFR 63.421 shall apply.
- c. The Permittee shall comply with the requirements of 40 CFR 63, Subpart A “General Provisions,” in accordance to the applicability of Subpart A to such sources, as identified in Table 1 of 40 CFR 63, Subpart R.

**40 CFR 63.423 - Standards: Storage vessels.**

- d. Per 40 CFR 63.423(a), the Permittee shall equip each gasoline storage vessel with a fixed roof in combination with an internal floating roof according to the requirements in 40 CFR 60.112b (Subpart Kb) as follows:
  - i. The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.
  - ii. Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:
    - A. A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.
    - B. Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.
    - C. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.
  - iii. Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these standards are exceeded.

**40 CFR 63.424 - Standards: Equipment leaks.**

- e. Per 40 CFR 63.424, the Permittee shall comply with the following requirements.
  - i. The Permittee shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.
  - ii. A logbook shall be used and shall be signed by the Permittee at the completion of each inspection. A section of the logbook shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.
  - iii. Each detection of a liquid or vapor leak shall be recorded in the logbook. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (e)(iv) below.
  - iv. Delay of repair of leaking equipment will be allowed upon a demonstration to the DAQ Regional Supervisor that repair within 15 days is not feasible. The Permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.
  - v. As an alternative to compliance with the provisions in paragraphs (e)(i) through (iv) above, the Permittee may implement an instrument leak monitoring program that has been demonstrated to the Administrator, EPA Region IV as at least equivalent.
  - vi. The Permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
    - A. Minimize gasoline spills;
    - B. Clean up spills as expeditiously as practicable;
    - C. Cover all open gasoline containers with a gasketed seal when not in use;
    - D. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these standards are exceeded.

**40 CFR 63.425 - Test methods and procedures.**

- f. Per 40 CFR 63.425(d), the Permittee shall comply with the requirements in 40 CFR 60.113b (Subpart Kb) as follows:
  - i. Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the Permittee shall repair the items before filling the storage vessel.

- ii. For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the Permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the DAQ Regional Supervisor in the inspection report required in [paragraph \(h\)\(i\)\(B\)](#) below. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.
- iii. For vessels equipped with a double-seal system as specified in paragraph (d)(ii)(B) above:
  - A. Visually inspect the vessel as specified in paragraph (f)(iv) below at least every 5 years;  
or
  - B. Visually inspect the vessel as specified in paragraph (f)(ii) above.
- iv. Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the Permittee shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (f)(ii) and (f)(iii)(B) above and at intervals no greater than 5 years in the case of vessels specified in paragraph (f)(iii)(A) above.
- v. Notify the DAQ Regional Supervisor in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (f)(i) and (f)(iv) above to afford the DAQ Regional Supervisor the opportunity to have an observer present. If the inspection required by paragraph (f)(iv) above is not planned and the Permittee could not have known about the inspection 30 days in advance or refilling the tank, the Permittee shall notify the DAQ Regional Supervisor at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the DAQ Regional Supervisor at least 7 days prior to the refilling.
- vi. Per 40 CFR 63.426 the Permittee may request alternative means of emission limitations [for storage vessels per the requirements in 40 CFR 60.114b \(Subpart Kb\)](#). For determining the acceptability of alternative means of emission limitation for storage vessels, the following provisions apply:
  - A. If, in the Administrator, EPA Region IV's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in paragraph (d) above, the Administrator, EPA Region IV will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement.
  - B. Any notice under paragraph (f)(vi)(A) above will be published only after notice and an opportunity for a hearing.

- C. Any person seeking permission under this section shall submit to the Administrator, EPA Region IV a written application including:
  - (i) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.
  - (ii) An engineering evaluation that the Administrator, EPA Region IV determines is an accurate method of determining equivalence.
- D. The Administrator, EPA Region IV may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in paragraph (d) above.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these test methods and procedures are not adhered to.

**40 CFR 63.427 - Continuous monitoring.**

- g. Per 40 CFR 63.427(c), the Permittee shall comply with the monitoring requirements per 40 CFR 60.116b (Subpart Kb) as follows:
  - i. The Permittee shall keep copies of all records required by this paragraph, except for the record required by paragraph (g)(ii) below, for at least 5 years. The record required by paragraph (g)(ii) below will be kept for the life of the source.
  - ii. The Permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.
  - iii. Except as provided in paragraph (g)(v) below, the Permittee shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.
  - iv. Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.
    - A. For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
    - B. For crude oil or refined petroleum products the vapor pressure may be obtained by the following:
      - (i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference see 60.17), unless the DAQ Regional Supervisor specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).
      - (ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.
    - C. For other liquids, the vapor pressure:
      - (i) May be obtained from standard reference texts, or
      - (ii) Determined by ASTM D287983, 96, or 97 (incorporated by reference see 60.17); or
      - (iii) Measured by an appropriate method approved by the Administrator, EPA Region IV;or

- (iv) Calculated by an appropriate method approved by the Administrator, EPA Region IV.
- v. The Permittee of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.
  - A. Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in paragraph (g)(iv) above.
  - B. For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in paragraph (d) above, an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:
    - (i) ASTM D287983, 96, or 97 (incorporated by reference see 60.17); or
    - (ii) ASTM D32382 or 94 (incorporated by reference see 60.17); or
    - (iii) As measured by an appropriate method as approved by the Administrator, EPA Region IV.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1111 if these monitoring requirements are not maintained.

**40 CFR 63.428 - Reporting and Recordkeeping.**

- h. Per 40 CFR 63.428(d), the Permittee shall keep records and furnish reports required by this section for at least 5 years per the requirements in 40 CFR 60.115b (Subpart Kb) as follows:
  - i. After installing the fixed roof and internal floating roof, the Permittee shall meet the following requirements:
    - A. Keep a record of each inspection performed as required by paragraphs (f)(i) through (iv) above. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).
    - B. If any of the conditions described in paragraph (f)(ii) above are detected during the annual visual inspection required by paragraph (f)(ii) above, a report shall be furnished to the DAQ Regional Supervisor within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.
    - C. After each inspection required by paragraph (f)(iii) above that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in paragraph (f)(iii)(B) above, a report shall be furnished to the DAQ Regional Supervisor within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of paragraphs (d)(i) through (iii) or (f)(i) above and list each repair made.
  - ii. The Permittee shall record the following information in the logbook for each leak that is detected:
    - A. The equipment type and identification number;
    - B. The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell);
    - C. The date the leak was detected and the date of each attempt to repair the leak;
    - D. Repair methods applied in each attempt to repair the leak;
    - E. "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak;
    - F. The expected date of successful repair of the leak if the leak is not repaired within 15 days; and
    - G. The date of successful repair of the leak.

- iii. The Permittee shall include in a semiannual report to the DAQ Regional Supervisor the number of equipment leaks not repaired within 5 days after detection.
- iv. The Permittee shall submit an excess emissions report to the DAQ Regional Supervisor in accordance with §63.10(e)(3), whether or not a CMS is installed at the facility. Equipment leaks for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection are excess emissions events under this subpart, and the following information shall be included in the excess emissions report, as applicable:
  - A. The date on which the leak was detected;
  - B. The date of each attempt to repair the leak;
  - C. The reasons for the delay of repair; and
  - D. The date of successful repair.
- v. The Permittee shall perform the following requirements, all of which will be available for public inspection:
  - A. Document and report the methods, procedures, and assumptions supporting the calculations for determining criteria in §63.420(c);
  - B. Maintain records to document that the facility parameters established under §63.420(c) have not been exceeded; and
  - C. Report annually to the DAQ Regional Supervisor that the facility parameters established under §63.420(c) have not been exceeded.
  - D. At any time following the notification required under paragraph (h)(v)(A) above and approval by the DAQ Regional Supervisor of the facility parameters, and prior to any of the parameters being exceeded, the Permittee may submit a report to request modification of any facility parameter to the DAQ Regional Supervisor for approval. Each such request shall document any expected HAP emission change resulting from the change in parameter.
- vi. The Permittee shall perform the following requirements, all of which will be available for public inspection:
  - A. Document and report the use of the emission screening equations in §63.420(b)(1) and the calculated value of  $E_P$ ;
  - B. Maintain a record of the calculations in §63.420(b)(1), including methods, procedures, and assumptions supporting the calculations for determining criteria in §63.420(d); and
  - C. At any time following the notification required under paragraph (h)(vi)(A) above, and prior to any of the parameters being exceeded, the Permittee may notify the DAQ Regional Supervisor of modifications to the facility parameters. Each such notification shall document any expected HAP emission change resulting from the change in parameter.
- i. In addition to any other reporting, 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 for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified

**F. Facility-wide affected sources**

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

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

**State-enforceable only**

**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.

**SECTION 3 - GENERAL CONDITIONS (v3.3)**

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)]**

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 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. 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.
3. 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 description of the training and air testing experience of the person directing the test;
  - b. a certification of the test results by sampling team leader and facility representative;
  - c. 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);
  - d. 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;
  - e. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
  - f. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
  - g. 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.
4. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
5. 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.

**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.

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>CAIR</b>	<b>Clean Air Interstate Rule</b>
<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>NAA</b>	<b>Non-Attainment Area</b>
<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>RACT</b>	<b>Reasonable Available Control Technology</b>
<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