



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

Michael F. Easley, Governor

William G. Ross, Jr., Secretary  
B. Keith Overcash, P.E., Director

**ENTER DATE**

Mr. Reed Dulany, III  
President, Dulany Industries, Inc.  
1600 E Presidents Street  
P.O. Box 546  
Savannah, Georgia 31404

SUBJECT: Air Quality Permit No. 09904R00  
Wilbara, LLC  
Wilmington, New Hanover County  
Facility ID: 6500118  
Fee Class: Title V

Dear Mr. Dulany;

In accordance with the completed Air Quality Permit Application for a PSD Pre-Construction Permit, received, March 24, 2008, we are forwarding herewith Air Quality Permit No. 09904R00 to Wilbara, LLC located on Highway 421 North in Wilmington, North Carolina authorizing the construction and operation of the emission sources and associated air pollution control devices specified herein. Please note the records retention requirements are contained in General Condition 2 of the General Conditions and Limitations.

**The Permittee shall file a Title V Air Quality Permit Application pursuant to 15A NCAC 2Q .0504 on or before 12 months after commencing operation.**

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**

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

One  
North Carolina  
*Naturally*

Mr. Reed Dulany, III

**ENTER DATE**

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**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 **ENTER DATE** until **ENTER DATE**, 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 Fern Paterson, P.E. at (919) 715-6242.

Sincerely yours,

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

Enclosure

cc: Gregg Worley, EPA Region 4  
Wilmington Regional Office  
Central Files

**ATTACHMENT I:**

**Activities Exempted from Permit Requirements Pursuant to 15A NCAC 2Q .0102(c)(2)(E)(ii)**

<b>Source ID Nos.</b>	<b>Emission Source Description</b>
I-B01	Natural-gas fired boiler (6 million Btu per hour)
I-T01	Sulfur storage tank (nominal 9,000 ton storage capacity)
I-T02 through I-T06	Five (5) sulfuric acid storage tanks (nominal 29,000 gallon storage capacity, each)

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 2D .1100 "Control of Toxic Air Pollutants" or 15A NCAC 2Q .0711 "Emission Rates Requiring a Permit".

**NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION**

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

**DIVISION OF AIR QUALITY**

**AIR PERMIT NO. 09904R00**

Issue Date: **ENTER DATE**, 2008

Effective Date: **ENTER DATE**, 2008

Expiration Date: **ENTER DATE**, 2013

Replaces Permit: N/A

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To construct and operate air emission source(s) and/or air cleaning device(s), and for the discharge of the associated air contaminants into the atmosphere in accordance with the provisions of Article 21B of Chapter 143, General Statutes of North Carolina (NCGS) as amended, and other applicable Laws, Rules and Regulations,

Wilbara, LLC  
Near 4200 Highway 421 North1  
Wilmington, New Hanover County, North Carolina  
Fee Class: Title V  
Site Number: 6500347

(the Permittee) is hereby authorized to construct and operate the air emissions sources and/or air cleaning devices and appurtenances described below:

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>	<b>Control Device ID No.</b>	<b>Control Device Description</b>
ES-01 <b>BACT, NSPS H</b>	Double-adsorption sulfuric acid manufacturing plant (575 tons per day nominal capacity)	ME-01	Vertical tube mist eliminator system installed on final adsorbing tower

in accordance with the completed application (No. 6500347.08A) received June 10, 2008, including any plans, specifications, previous applications, and other supporting data, all of which are filed with the Department of Environment and Natural Resources, Division of Air Quality (DAQ) and are incorporated as part of this permit.

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<sup>1</sup> The proposed Greenfield facility does not currently have an assigned physical. Physical address will be assigned to the site location after an entrance road is cut off the main highway.

This permit is subject to the following specified conditions and limitations including any TESTING, REPORTING, OR MONITORING REQUIREMENTS:

### A. SPECIFIC CONDITIONS AND LIMITATIONS

1. Any air emission sources or control devices authorized to construct and operate above must be operated and maintained in accordance with the provisions contained herein. The Permittee shall comply with applicable Environmental Management Commission Regulations, including Title 15A North Carolina Administrative Code (NCAC), Subchapter 2D .0517, .0519, .0524 (NSPS H), .0530 (BACT), .0535, .1100, and 2Q .0500.
2. **15A NCAC 2D .0517: EMISSIONS FROM PLANTS PRODUCING SULFURIC ACID**
  - a. Sulfur dioxide emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 27 pounds per ton of 100% sulfuric acid produced.
  - b. Sulfuric acid mist emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 0.5 pounds per ton of 100% sulfuric acid produced.

#### Testing/Monitoring/Recordkeeping/Reporting

- c. Testing, monitoring, recordkeeping, and reporting shall be conducted in accordance with Section A.5. of this permit.

### 3. **15A NCAC 2D .0519: CONTROL OF NITROGEN DIOXIDE AND NITROGEN OXIDES EMISSIONS**

- a. Nitrogen oxides emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 5.8 pounds per ton of 100% sulfuric acid produced.

#### Testing

- b. The Permittee shall conduct an initial performance test of sulfuric acid plant (**ID No. ES-01**) to determine the NO<sub>x</sub> emission rate (in lb/ton of acid produced) within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup. The test shall be conducted in accordance with 15A NCAC 2D .2601 and Section A.9. of this permit, or as otherwise approved by the NC DAQ Stationary Source Compliance Branch in the test protocol.
- c. **If the stack test required in Section A.3.b. above indicates a NO<sub>x</sub> emission rate of 0.356 lb/ton of acid produced or greater, the Permittee shall submit a permit application within 60 days of the conclusion of the stack test to address applicability of the Prevention of Significant Deterioration (PSD) permitting program pursuant to 15A NCAC 2D .0530.**

#### Monitoring/Recordkeeping/Reporting

- d. No monitoring, recordkeeping, or reporting is required to demonstrate compliance with 15A NCAC 2D .0519.

### 4. **15A NCAC 2D .0524: NEW SOURCE PERFORMANCE STANDARDS (40 CFR 60, SUBPART H – Sulfuric Acid Plants)**

- a. The Permittee shall comply with all applicable provisions, including the notification, testing, recordkeeping, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .0524, “New Source Performance Standards” (NSPS), as promulgated in 40 CFR 60, Subpart H, including Subpart A, “General Provisions”, for the sulfuric acid plant (**ID No. ES-01**).

#### Emission Standards

- b. Sulfur dioxide emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 4 pounds per ton of 100% sulfuric acid produced, based on a rolling 3-hour average. [40 CFR 60.82(a)]

- c. Sulfuric acid mist emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 0.15 pounds per ton of 100% sulfuric acid produced, based on a rolling 3-hour average. [40 CFR 60.83(a)(1)]
- d. Visible emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed 10 percent opacity. [40 CFR 60.83(a)(2)]

#### **Testing**

- e. The Permittee shall conduct an initial performance test of the sulfuric acid plant (**ID No. ES-01**) to demonstrate compliance with the **sulfur dioxide, sulfuric acid mist, and visible emission** standards in Section A.4.b., c., and d. above within 60 days of achieving the maximum sustained production rate, but not later than 180 days after initial start-up. Testing shall be conducted in accordance with 40 CFR 60.8, 40 CFR 60.85, and Section A.9. of this permit, including but not limited to the following:
  - i. Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.
  - ii. Except as provided in iv. below, Method 8 shall be used to determine the SO<sub>2</sub> and acid mist concentrations and the volumetric flow rate of the effluent gas. The moisture content may be considered to be zero. The sampling time and sampling volume for each run shall be at least 60 minutes and 1.15 dscm (40.6 dscf).
  - iii. Except as provided in iv. below, the emission rate of SO<sub>2</sub> and acid mist shall be calculated for each run in accordance with 40 CFR 60.85(b)(1).
  - iv. The Permittee may use the procedures specified in 40 CFR 60.85(c) as an alternative to the procedures in ii. and iii. above.

#### **Monitoring/Recordkeeping**

- f. The Permittee shall measure **sulfur dioxide emissions** using a continuous emissions monitoring system (CEMS) as required in Section A.5.d. and e. of this permit.
- g. To assure compliance with the **visible emissions** requirement, the Permittee shall observe the emission point of the sulfuric acid plant (**ID No. ES-01**) once a month for any visible emissions above normal. The monthly observation must be made for each month of the calendar year period to ensure compliance with this requirement. The Permittee shall establish “normal” for the sulfuric acid plant within 30 days of initial startup. If visible emissions from this source are observed to be above normal, the Permittee shall either:
  - i. Take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - ii. Demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 2D .2601 (Method 9) for 12 minutes is below the limit given in Section A.4.d. above.
- h. The results of the **visible emissions** monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
  - i. The date and time of each recorded action;
  - ii. The results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
  - iii. The results of any corrective actions performed.

#### **Reporting**

- i. 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.

### **5. 15A NCAC 2D .0530: PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

- a. Emissions from the sulfuric acid plant (**ID No. ES-01**) shall not exceed the following Best Available

Control Technology (BACT) emission standards:

Pollutant	Best Available Control Technology (BACT)	Emission Limit
Sulfur Dioxide	Four-pass, dual adsorption process with cesium-promoted catalyst in the 3 <sup>rd</sup> and 4 <sup>th</sup> passes	2.3 lb/ton of 100% sulfuric acid produced (rolling 3-hour average)
Sulfuric Acid Mist	Vertical tube mist eliminator	0.075 lb/ton of 100% sulfuric acid produced (rolling 3-hour average)

**Testing**

- b. The Permittee shall conduct an initial performance test of the sulfuric acid plant (**ID No. ES-01**) to determine the **sulfur dioxide** and **sulfuric acid mist** emission rate. The test shall be conducted in accordance with Section A.4.e. above.
- c. The Permittee shall conduct an annual performance test of the sulfuric acid plant (**ID No. ES-01**) to demonstrate compliance with the **sulfuric acid mist** standard in Section A.5.a. The annual test must be conducted once per calendar year to comply with this requirement. The first annual performance test is required during the calendar year following the initial performance test required in Section A.4.e. above. Testing shall be conducted in accordance with the procedures in 40 CFR 60.85 and Section A.9. of this permit, including but not limited to the following:
  - i. Except as provided in iii. below, Method 8 shall be used to determine the acid mist concentrations and the volumetric flow rate of the effluent gas. The moisture content may be considered to be zero. The sampling time and sampling volume for each run shall be at least 60 minutes and 1.15 dscm (40.6 dscf).
  - ii. Except as provided in iii. below, the emission rate of acid mist shall be calculated for each run in accordance with 40 CFR 60.85(b)(1).
  - iii. The Permittee may use the procedures specified in 40 CFR 60.85(c) as an alternative to the procedures in i. and ii. above.

**Monitoring/Recordkeeping**

- d. The Permittee shall monitor **sulfur dioxide** emissions from the sulfuric acid plant (**ID No. ES-01**) in accordance with the following procedures, except as provided in Section A.5.e. above: [40 CFR 60.84(a)-(c)]
  - i. Install, calibrate, maintain, and operate continuous monitoring systems for the measurement of sulfur dioxide emissions. The pollutant gas used to prepare calibration gas mixtures under Performance Specification 2 (40 CFR 60, Appendix B) and for calibration checks under 40 CFR 60.13(d), shall be sulfur dioxide (SO<sub>2</sub>). Method 8 shall be used for conducting monitoring system performance evaluations under 40 CFR 60.13(c) except that only the sulfur dioxide portion of the Method 8 results shall be used. The span value shall be set at 1,000 ppm of sulfur dioxide.
  - ii. Establish a conversion factor for the purpose of converting monitoring data into units of the applicable standard (lb/ton). The conversion factor shall be determined, as a minimum, three times daily by measuring the concentration of sulfur dioxide entering the converter using suitable methods (e.g., the Reich test, National Air Pollution Control Administration Publication No. 999-AP-13) and calculating the appropriate conversion factor for each eight-hour period in accordance with 40 CFR 60.84(b).
  - iii. Record all conversion factors and how they were computed, including the input values. The Permittee shall maintain records of all required monitoring data in a logbook (written or electronic format) on-site and made available to an authorized representative upon request.
- e. As an alternative to the **sulfur dioxide** emission monitoring requirements in Section A.5.d. above, the Permittee may install, calibrate, maintain, and operate continuous monitoring systems for the measurement of SO<sub>2</sub>, O<sub>2</sub>, and CO<sub>2</sub> (if required) in accordance with 40 CFR 60.84(d). In this

alternative approach, a conversion factor based on process rate data is not necessary. The Permittee shall calculate the SO<sub>2</sub> emission rate according to the equation and procedures provided in 40 CFR 60.84(d). If using this alternative procedure, the Permittee shall maintain records of all required monitoring data in a logbook (written or electronic format) on-site and made available to an authorized representative upon request.

**Reporting**

- f. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified

- 6. **NOTIFICATION REQUIREMENT.** As required by 15A NCAC 2D .0535, the owner or operator of a source of excess emissions that last for more than four hours and that results from a malfunction, a breakdown of process or control equipment or any other abnormal conditions, shall:
  - a. Notify the Director or his designee 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 describe:
    - i. The name and location of the facility
    - ii. The nature and cause of the malfunction or breakdown
    - iii. The time when the malfunction or breakdown is first observed
    - iv. The expected duration, and
    - v. An estimated rate of emissions
  - b. Notify the Director or his designee immediately when the corrective measures have been accomplished. This reporting requirement does not allow the operation of the facility in excess of Environmental Management Commission Regulations.

7. **15A NCAC 2D .1100. TOXIC AIR POLLUTANT EMISSIONS LIMITATIONS AND REQUIREMENTS (State-Enforceable, Only)**

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

Toxic Air Pollutant	Facility-Wide Emission Limit
Sulfuric Acid	2.4 lbs/hr 57.5 lbs/day

- b. The Permittee shall demonstrate compliance with these emissions limitations in accordance with the testing, monitoring, recordkeeping, and reporting requirements in Section A.5 of this permit.

- 8. **15A NCAC 2Q .0500. TITLE V PERMITTING REQUIREMENTS.** 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.

- 9. **TESTING REQUIREMENT.** 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.
  - a. 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.
  - b. 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.

- c. 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.
- d. The Permittee shall submit **two** copies of the test report to the DAQ. The test report shall contain at a minimum the following information:
  - i. A certification of the test results by sampling team leader and facility representative;
  - ii. 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);
  - iii. 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;
  - iv. All field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
  - v. Example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
  - vi. 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.
- e. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
- f. 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.

**10. 15A NCAC 2Q .0207: ANNUAL EMISSION INVENTORY REQUIREMENTS.** 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.

**11. 15A NCAC 2D .0535: NOTIFICATION REQUIREMENT.** As required by 15A NCAC 2D .0535, the Permittee of a source of excess emissions that last for more than four hours and that results from a malfunction, a breakdown of process or control equipment or any other abnormal conditions, shall:

- a. Notify the Director or his designee 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 describe:
  - i. The name and location of the facility,
  - ii. The nature and cause of the malfunction or breakdown,
  - iii. The time when the malfunction or breakdown is first observed,
  - iv. The expected duration, and
  - v. An estimated rate of emissions.
- b. Notify the Director or his designee immediately when the corrective measures have been accomplished.

This reporting requirement does not allow the operation of the facility in excess of Environmental Management Commission Regulations.

## B. GENERAL CONDITIONS AND LIMITATIONS

1. REPORTS, TEST DATA, MONITORING DATA, NOTIFICATIONS, AND REQUESTS FOR RENEWAL shall be submitted to the:

Regional Supervisor  
North Carolina Division of Air Quality  
Wilmington Regional Office  
127 Cardinal Drive Extension  
Wilmington, NC 28405

2. RECORDS RETENTION REQUIREMENT - Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. These records must be kept on site for a minimum of 2 years, unless another time period is otherwise specified.
3. PERMIT RENEWAL REQUIREMENT - The Permittee, at least 90 days prior to the expiration date of this permit, shall request permit renewal by letter in accordance with 15A NCAC 2Q .0304 (d) and (f). Pursuant to 15A NCAC 2Q .0203 (i), no permit application fee is required for renewal of an existing air permit. The renewal request should be submitted to the Regional Supervisor, DAQ.
4. ANNUAL FEE PAYMENT - Pursuant to 15A NCAC 2Q .0203 (a), the Permittee shall pay the annual permit fee within 30 days of being billed by the DAQ. Failure to pay the fee in a timely manner will cause the DAQ to initiate action to revoke the permit.
5. EQUIPMENT RELOCATION - A new air permit shall be obtained by the Permittee prior to establishing, building, erecting, using, or operating the emission sources or air cleaning equipment at a site or location not specified in this permit.
6. This permit is subject to revocation or modification by the DAQ upon a determination that information contained in the application or presented in the support thereof is incorrect, conditions under which this permit was granted have changed, or violations of conditions contained in this permit have occurred. 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 cleaning device(s) and appurtenances.
7. REPORTING REQUIREMENT - Any of the following that would result in previously unpermitted, new, or increased emissions must be reported to the Regional Supervisor, DAQ:
  - a. Changes in the information submitted in the application regarding facility emissions;
  - b. Changes that modify equipment or processes of existing permitted facilities; 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.
8. This permit is nontransferable by the Permittee. Future owners and operators must obtain a new air permit from the DAQ.
9. This issuance of this permit in no way absolves the Permittee of liability for any potential civil penalties which may be assessed for violations of State law which have occurred prior to the effective date of this permit.
10. This permit does not relieve the Permittee of the responsibility of complying with all applicable requirements of any Federal, State, or Local water quality or land quality control authority.

11. Reports on the operation and maintenance of the facility shall be submitted by the Permittee to the Regional Supervisor, DAQ at such intervals and in such form and detail as may be required by the DAQ. Information required in such reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and preventive maintenance schedules.
12. A violation of any term or condition of this permit shall subject the Permittee to enforcement pursuant to G.S. 143-215.114A, 143-215.114B, and 143-215.114C, including assessment of civil and/or criminal penalties.
13. Pursuant to North Carolina General Statute 143-215.3(a)(2), no person shall refuse entry or access to any authorized representative of the DAQ who requests entry or access for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such 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.
14. The Permittee must comply with any applicable Federal, State, or Local requirements governing the handling, disposal, or incineration of hazardous, solid, or medical wastes, including the Resource Conservation and Recovery Act (RCRA) administered by the Division of Waste Management.
15. PERMIT RETENTION REQUIREMENT - The Permittee shall retain a current copy of the air permit at the site. The Permittee must make available to personnel of the DAQ, upon request, the current copy of the air permit for the site.
16. CLEAN AIR ACT SECTION 112(r) REQUIREMENTS - Pursuant to 40 CFR Part 68 AAccidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act, Section 112(r),<sup>≡</sup> if the Permittee is required to develop and register a risk management plan pursuant to Section 112(r) of the Federal Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.
17. PREVENTION OF ACCIDENTAL RELEASES - GENERAL DUTY - Pursuant to Title I Part A Section 112(r)(1) of the Clean Air Act AHazardous Air Pollutants - Prevention of Accidental Releases - Purpose and General Duty,<sup>≡</sup> 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. **This condition is federally-enforceable only.**

Permit issued this the **ENTER DATE**, 2008.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

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

Air Permit No. 09904R00