

## Air Permit Review

**Region:** Wilmington Regional Office  
**County:** New Hanover  
**NC Facility ID:** 6500342  
**Inspector's Name:** Russell Morgan III  
**Date of Last Inspection:** 08/10/2010  
**Compliance Code:** 3 / Compliance - inspection

**Permit Issue Date:**

<b>Facility Data</b>			<b>Permit Applicability (this application only)</b>
<b>Applicant (Facility's Name):</b> INVISTA S.a.r.l.  <b>Facility Address:</b> INVISTA S.a.r.l. 3325 River Road Wilmington, NC 28412  <b>SIC:</b> 5171 / Petroleum Bulk Stations & Terminals <b>NAICS:</b> 42471 / Petroleum Bulk Stations and Terminals  <b>Facility Classification: Before:</b> Title V <b>After:</b> Title V <b>Fee Classification: Before:</b> Title V <b>After:</b> Title V			<b>SIP:</b> N/A <b>NSPS:</b> N/A <b>NESHAP:</b> N/A <b>PSD:</b> N/A <b>PSD Avoidance:</b> N/A <b>NC Toxics:</b> N/A <b>112(r):</b> N/A <b>Other:</b> 15A NCAC 2D .1109 <i>[112(j) – Part 2 MACT Hammer for Boilers &amp; Process Heaters]</i>
<b>Contact Data</b>			<b>Application Data</b>
<b>Facility Contact</b>	<b>Authorized Contact</b>	<b>Technical Contact</b>	<b>Application Number:</b> 6500342.09A <b>Date Received:</b> 09/14/2009 <b>Application Type:</b> 112(j) Part II <b>Application Schedule:</b> TV-Significant <b>Existing Permit Data</b> <b>Existing Permit Number:</b> 09708/T01 <b>Existing Permit Issue Date:</b> 06/22/2009 <b>Existing Permit Expiration Date:</b> 05/31/2014
William King Site Manager (910) 341-5594 3325 River Road Wilmington, NC 28412	William King Site Manager (910) 341-5594 3325 River Road Wilmington, NC 28412	William King Site Manager (910) 341-5594 3325 River Road Wilmington, NC 28412	
<b>Review Engineer:</b> Fern Paterson, P.E.  <b>Review Engineer's Signature:</b> _____ <b>Date:</b> _____		<b>Comments / Recommendations:</b> Issue 09708/T02 <b>Permit Issue Date:</b> _____ <b>Permit Expiration Date:</b> 05/31/2014	

**I. Purpose of Application**

The INVISTA S.a.r.l terminal is located in Wilmington, New Hanover County, North Carolina. Application No. 6500342.09A, received September 14, 2009, is a Part 2 MACT "Hammer" application for two No. 2 fuel oil-fired boilers, rated at 12.55 million British thermal units per hour (MMBtu/hr) each.

**II. Permit Modifications/Changes**

The following table describes the modifications to the current permit.

Page(s)	Section	Description of Change(s)
1	Permit Cover Page	Amend permit revision numbers and issuance/effective dates.
3	Section 1, Table	Add "case-by-case MACT" designation to the affected boilers ( <b>ID Nos. B-1 &amp; B-2</b> ).
4	2.1.A., Table	Add 15A NCAC 2D .1109 to the list of applicable regulations.
5	2.1.A.4 (New)	Add Section to include applicable requirements for the affected boilers ( <b>ID Nos. B-1 &amp; B-2</b> ).
18-26	Section 3	Update General Provisions with the most recent revision (v. 3.2.2)

### III. Regulatory Review

1. **15A NCAC 2D .1109 –Case-by-Case MACT** – On July 20, 2007, the D.C. Circuit Court vacated the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters, which had been promulgated under 40 CFR 63, Subpart DDDDD. The North Carolina Attorney General’s office has determined that the NESHAP vacatur equates to the failure of the U.S. EPA to promulgate a standard as required under Section 112(d) of the Clean Air Act (CAA). As a result, the site-specific Maximum Achievable Control Technology (MACT) standards required under CAA §112(j), commonly referred to as the MACT “hammer” provisions, have been triggered. North Carolina regulations implementing the MACT hammer are found at 15A NCAC 2D .1109.

On August 21, 2009, the NC DAQ received a Part 2 MACT “Hammer” application from this facility asking that the NC DAQ establish 112(j) emissions limitations in accordance with NC DAQ’s recommendations.

No control technologies for the control of CO, metals, Hg, or HCl were identified for No. 2 fuel oil-fired boilers in the state of North Carolina, nor were any such technologies identified in a North Carolina query using U.S. EPA’s AirControlNet software (v4.1). The NC DAQ has determined that MACT is the use of best work practice standards for No. 2 fuel oil fired combustion sources of this size, consistent with the provisions in CAA § 112(d)(2)(D). Best work practice standards in this case shall include the annual inspection and maintenance of the boiler as follows:

*To assure compliance, the Permittee shall perform an annual boiler inspection and maintenance as recommended by the manufacturer, or as a minimum, the inspection and maintenance requirement shall include the following:*

- i. Inspect the burner, and clean or replace any components of the burner as necessary;*
- ii. Inspect the flame pattern and make any adjustments to the burner necessary to optimize the flame pattern; and,*
- iii. Inspect the system controlling the air-to-fuel ratio, and ensure that it is correctly calibrated and functioning properly.*

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

In addition, the Permittee will be required to record the results of the annual inspection in a logbook (written or electronic format), which shall be retained on-site and made available to an authorized representative upon request.

### IV. Draft Permit Review Summary

Russell Morgan III of the Wilmington Regional Office was provided a draft permit and draft permit review document on November 22, 2010.

Charity Coury of INVISTA was provided a draft permit for review on November 22, 2010.

Ms. Katy Forney and Ms. Gracy DeNois (U.S. EPA, Region IV) were provided a draft permit for review on November 22, 2010.

### V. Recommendations

This permit modification application for the INVISTA, S.a.r.l terminal located in Wilmington, New Hanover County, North Carolina has been reviewed by NC DAQ to determine compliance with all procedures and requirements. NC DAQ has determined that this facility appears to be complying with all applicable requirements.

**Issue Permit No. 09708T02**

