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*Secretary*

MICHAEL A. ABRACZINSKAS  
*Director*



NORTH CAROLINA  
*Environmental Quality*

Month XX, 20XX

Mr. Anthony Falbo  
Sr. VP Operations  
Sapphire Renewable Natural Gas  
5087 Junction Road  
Lockport, NY 14094

Subject: Air Permit No. 10772R00  
**Sapphire Renewable Natural Gas**  
Roseboro, Sampson County, North Carolina  
Permit Class: Title V  
**Facility ID# 8200159**

Dear Mr. Falbo:

In accordance with your completed application received December 14, 2022, we are forwarding herewith Permit No. 10772R00 to Sapphire Renewable Natural Gas, Roseboro, Sampson County, North Carolina for the construction and operation of air emissions sources or air cleaning devices and appurtenances. Additionally, any emissions activities determined from your air permit application as meeting the exemption requirements contained in 15A NCAC 02Q .0102 have been listed for information purposes as an "ATTACHMENT" to the enclosed air permit.

If any parts, requirements, or limitations contained in this permit are unacceptable to you, you have the right to file a petition for contested case hearing in the North Carolina Office of Administrative Hearings. Information regarding the right, procedure, and time limit for permittees and other persons aggrieved to file such a petition is contained in the attached "Notice Regarding the Right to Contest a Division of Air Quality Permit Decision."

**Unless exempted by a condition of this permit or the regulations, construction of new air pollution sources or air cleaning devices, or modifications to the sources or air cleaning devices described in this permit must be covered under a permit issued by the Division of Air Quality prior to construction. Failure to do so is a violation of G.S. 143-215.108 and may subject the Permittee to civil or criminal penalties as described in G.S. 143-215.114A and 143-215.114B.**

Sampson County has triggered increment tracking under PSD for PM<sub>10</sub>, PM<sub>2.5</sub> and NO<sub>x</sub>. This modification will result in an increase of 2.73 pounds per hour of pollutant PM<sub>10</sub>, 2.73 pounds per hour of PM<sub>2.5</sub> and 11.02 pounds per hour of NO<sub>x</sub>.



North Carolina Department of Environmental Quality | Division of Air Quality  
Raleigh Regional Office | 3800 Barrett Drive | Raleigh, NC 27609  
919.791.4200 T | 919.881.2261 F

Anthony Falbo

Month XX, 2023

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This permit shall be effective from XXXX, xx 2023 until XXXXXX, 2031, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

**The Permittee is responsible for carefully reading the entire permit and evaluating the requirements of each permit stipulation. The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. 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.**

Should you have any questions concerning this matter, please contact Booker T. Pullen at 919-707-8469 or booker.pullen@ncdenr.gov.

Sincerely,

Mark J. Cuilla, EIT, CPM, Chief, Permitting Section  
Division of Air Quality, NC DEQ

Enclosures

c: Laserfiche [8200159]

**NOTICE REGARDING THE RIGHT TO CONTEST A DIVISION OF AIR QUALITY  
PERMIT DECISION**

**Right of the Permit Applicant or Permittee to File a Contested Case:** Pursuant to NCGS 143-215.108(e), a permit applicant or permittee who is dissatisfied with the Division of Air Quality's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 30 days after the Division notifies the applicant or permittee of its decision. If the applicant or permittee does not file a petition within the required time, the Division's decision on the application is final and is not subject to review. The filing of a petition will stay the Division's decision until resolution of the contested case.

**Right of Other Persons Aggrieved to File a Contested Case:** Pursuant to NCGS 143-215.108(e1), a person other than an applicant or permittee who is a person aggrieved by the Division's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 within 30 days after the Division provides notice of its decision on a permit application, as provided in NCGS 150B-23(f), or by posting the decision on a publicly available Web site. The filing of a petition under this subsection does not stay the Division's decision except as ordered by the administrative law judge under NCGS 150B-33(b).

**General Filing Instructions:** A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at <https://www.oah.nc.gov/hearings-division/filing/hearing-forms>. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

**Service Instructions:** A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

William F. Lane, General Counsel  
North Carolina Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the permittee or permit applicant, the party **must also** serve the permittee in accordance with NCGS 150B-23(a).

\* \* \*

Additional information is available at <https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case>. Please contact the OAH at 984-236-1850 or [oah.postmaster@oah.nc.gov](mailto:oah.postmaster@oah.nc.gov) with all questions regarding the filing fee and/or the details of the filing process.

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NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

**AIR PERMIT NO. 10772R00**

Issue Date: **XXXXXX, xx, 2023**

Effective Date: **XXXXXX, xx, 2023**

Expiration Date: **XXXXXX, XX, 2031**

Replaces Permit: N/A

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,

**Sapphire Renewable Natural Gas**

7424 Roseboro Highway

Roseboro, Sampson County, North Carolina

Permit Class: Title V

**Facility ID# 8200159**

(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</b>	<b>Emission Source Description</b>	<b>Control System ID</b>	<b>Control System Description</b>
ES-RNG Plant	Landfill Gas-to-Renewable Natural Gas Processing Plant (6,000 standard cubic feet per minute) consisting of: <ul style="list-style-type: none"><li>• Compression/chiller system</li><li>• H<sub>2</sub>S Removal System</li><li>• Two Pressure Swing Adsorption systems</li></ul>	CD-TOX CD-RNGFLARE CD-H <sub>2</sub> S	Waste gas thermal oxidizer (3,172 standard cubic feet per minute, 20 million Btu per hour heat input)  One backup open type candlestick flare (4,400 standard cubic feet per minute of landfill gas, 162 million Btu per hour heat input)  Two H <sub>2</sub> S Removal Vessels

in accordance with the completed application 8200159.22A received December 14, 2022 including any plans, specifications, previous applications, and other supporting data, all of which are filed with the Department of Environmental Quality, Division of Air Quality (DAQ) and are incorporated as part of this permit. The Permittee's ES-RNG Plant is referred to herein as the "Facility."

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 02D .0202, 02D .0516, 02D .0521, 02D .0535, 02D .0540, 02D .0605, 02D .0611, 02D .1100, 02D .1806, 02Q .0504 and 02Q .0711.
2. 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 02Q .304(d) and (f). Pursuant to 15A NCAC 02Q .203(i), no permit application fee is required for renewal of an existing air permit (without a modification request). The renewal request (with application Form A) should be submitted to the Regional Supervisor, DAQ.
3. ANNUAL EMISSION INVENTORY REQUIREMENTS - As required by 15A NCAC 02Q .0207 “Annual Emissions Reporting”, the Permittee shall report by June 30 of each year the actual emissions of each air pollutant listed in 15A NCAC 02Q .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.
4. SULFUR DIOXIDE CONTROL REQUIREMENT - As required by 15A NCAC 02D .0516 "Sulfur Dioxide Emissions from Combustion Sources," sulfur dioxide emissions from the Facility, including the candlestick flare (CD-RNGFLARE) and thermal oxidizer (CD-TOX) shall not exceed 2.3 pounds per million Btu heat input.
  - a. Testing [15A NCAC 02Q .0308(a)]

The Permittee shall verify that the candlestick flare (CD-RNGFLARE) is designed and operated as below within 180 days of operation:

    - i. The flare shall be designed for and operated with no visible emissions as determined by Method 22 (40 CFR Part 60, Appendix A), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
    - ii. The flare shall be operated with a flame present at all times. The presence of a flare pilot flame shall be continuously monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
    - iii. The flare shall meet the following heat content and maximum tip velocity specifications as below:
      - (A) The flare shall be used only with the net heating value of the gas being combusted being 200 Btu/scf or greater if the flare is non-assisted.
      - (B) If the flare is a non-assisted flare, it shall be designed for and operated with an exit velocity less than 60 ft/sec with the exceptions as provided below in Sections A.4.a.iii.(C) and (D).

- (C) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

Where:

$H_T$  = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off-gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant, } 1.740 \times 10^{-7} \left( \frac{1}{\text{ppm}} \right) \left( \frac{\text{g mole}}{\text{scm}} \right) \left( \frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for  $\left( \frac{\text{g mole}}{\text{scm}} \right)$  is 20°C;

$C_i$  = Concentration of sample component  $i$  in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994); and

$H_i$  = Net heat of combustion of sample component  $i$ , kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 if published values are not available or cannot be calculated.

- (D) The actual exit velocity of the flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D of Appendix A to 40 CFR 60, as appropriate; by the unobstructed (free) cross sectional area of the flare tip.
- (E) The maximum permitted velocity,  $V_{\max}$ , for the flare shall be determined by the following equation.

$$\text{Log}_{10} (V_{\max}) = (H_T + 28.8)/31.7$$

$V_{\max}$  = Maximum permitted velocity, M/sec

28.8 = Constant

31.7 = Constant

$H_T$  = The net heating value as determined above.

5. THERMAL OXIDIZER REQUIREMENTS - As required by 15A NCAC 02D .0611, VOC, toxic air pollutants and HAP emissions shall be controlled as described in the permitted equipment list and the following monitoring and recordkeeping requirements shall be performed as follows:
  - a. Inspection and Maintenance Requirements - To comply with the provisions of this permit and ensure that emissions do not exceed the regulatory limits, the Permittee shall perform periodic inspections and maintenance (I&M) as recommended by the manufacturer. As a minimum, the Permittee shall perform an annual (for each 12-month period following the initial inspection) internal inspection of each primary heat exchanger and associated inlet/outlet valves to ensure structural integrity.
  - b. Monitoring Requirements - The Permittee shall ensure the proper performance of each thermal oxidizer by the following monitoring:
    - i. The Permittee shall properly operate, inspect and maintain the control devices at all times.
    - ii. The combustion zone temperature in the thermal oxidizer (CD-TOX) shall be maintained at a minimum 3-hour average of 1,400 degrees Fahrenheit during operation.
    - iii. The Permittee shall continuously monitor and record the temperature in the thermal oxidizer.
    - iv. These approved parameters shall apply at all times except as noted in the following:
      - (A) The Permittee may re-establish any parameter and/or factor during subsequent testing. Compliance with previously approved parameters and/or factors is not required during subsequent required testing or other tests undertaken to re-establish parameters and/or factors by the Permittee.
      - (B) The Permittee shall comply with applicable emission standards at all times, including during periods of testing.
  - c. Recordkeeping Requirements - The results of all inspections and any variance from manufacturer's recommendations or from those given in this permit (when applicable) shall be investigated with corrections made and dates of actions recorded in a logbook. Records of all maintenance activities shall be recorded in the logbook. The logbook (in written or electronic form) shall be kept on-site and made available to DAQ personnel upon request.
  
6. CARBON ADSORBER REQUIREMENTS - As required by 15A NCAC 02D .0611 CD-H<sub>2</sub>S shall perform the following monitoring and recordkeeping:
  - a. Monitoring Requirements:
    - i. The Permittee shall monitor weekly the hydrogen sulfide concentration at the exhaust of CD-H<sub>2</sub>S by use of a portable biogas analyzer.
    - iii. At a minimum the Permittee shall perform semi-annual calibrations of the biogas analyzer.
    - iv. Establish a pressure range across the carbon adsorber vessels within 30 days after steady operation of the unit begins. Monitor on a daily basis the pressure-drop across the carbon adsorber vessels to verify they do not exceed TBD psig.



- b. Recordkeeping Requirements - The Permittee shall maintain the following records in a logbook (in written or electronic format). The records shall be kept on-site and made available to DAQ personnel upon request.
  - i. Daily carbon adsorber vessel pressure drop measurements,
  - ii. Weekly H<sub>2</sub>S concentration at the exhaust of the carbon adsorber (CD-H<sub>2</sub>S).
  - iii. Dates and times that control device CD-H<sub>2</sub>S is not in operation, what corrective actions were taken, when corrective actions were completed, and
  - iv. Calibration results for the biogas analyzer and pressure gauge(s).
  - v. Instances when the pressure drop is outside of the established pressure range.
  
7. TESTING REQUIREMENT – As required by 15A NCAC 02D .0605, the Permittee shall conduct an initial performance test for per- and polyfluoroalkyl substances (PFAS) at the inlet where the landfill gas enters the facility (ES-RNG Plant).
  - a. The Permittee shall utilize a DAQ approved reference test method in accordance with the testing protocol submittal form.
  - b. The Permittee shall submit a protocol to DAQ at least 45 days prior to initial compliance testing and shall submit a notification of initial compliance testing at least 15 days in advance of the testing. The protocol must be approved by DAQ in advance of the testing.
  - c. Testing shall be completed within 180 days of achieving steady operation at typical operating capacity of the RNG Plant unless an alternate date is approved in advance by DAQ.
  - d. The Permittee shall submit a written report of the test results to the Regional Supervisor, DAQ, no later than 30 days following sample collection test in accordance with 15A NCAC 02D .2602(f), unless an alternative date is approved in advance by DAQ.
  
8. VISIBLE EMISSIONS CONTROL REQUIREMENT - As required by 15A NCAC 02D .0521 "Control of Visible Emissions," visible emissions from the emission source (and controls), manufactured after July 1, 1971, shall not be more than 20 percent opacity when averaged over a six-minute period, except that six-minute periods averaging not more than 87 percent opacity may occur not more than once in any hour nor more than four times in any 24-hour period. However, sources which must comply with a visible emissions standard in 15A NCAC 2D .0524 "New Source Performance Standards" or .1110 "National Emission Standards for Hazardous Air Pollutants" shall meet that standard instead of the 02D .0521 visible emissions standard.
  
9. NOTIFICATION REQUIREMENT - As required by 15A NCAC 02D .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.

10. FUGITIVE DUST CONTROL REQUIREMENT - As required by 15A NCAC 02D .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 are received 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, Part 60, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter 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).

11. APPLICATION and REPORTING REQUIREMENTS – As required by 15A NCAC 02Q .0504, the Permittee is required to submit a complete application for a Title V permit following the procedures of 15A NCAC 02Q .0500, within one year from beginning operation of any of the sources at this facility. The Permittee shall notify the Regional Office in writing of the date of beginning operation of any of the sources listed in this permit, postmarked no later than 30 days after such date.

12. TOXIC AIR POLLUTANT EMISSIONS LIMITATION AND REPORTING REQUIREMENT - Pursuant to 15A NCAC 02D .1100 "Control of Toxic Air Pollutants," and in accordance with the approved application for an air toxic compliance demonstration, the permit limits in the table below shall not be exceeded. The Permittee has submitted a toxic air pollutant dispersion modeling analysis received on November 8, 2022 for the facility's toxic air pollutant emissions as listed in the table below. The modeling analysis was reviewed and approved by the DAQ Air Quality Analysis Branch (AQAB) on April 12, 2023.

Placement of the emission sources, configuration of the emission points, and operation of the sources shall be in accordance with the submitted dispersion modeling analysis and should reflect any changes from the original analysis submittal as outlined in the AQAB review memo.

Affected Source(s)	Toxic Air Pollutant	Emission Limit
CD-TOX	Benzene	24.4 pounds per year
	Hydrogen Chloride	1.43 pounds per hour
	Vinyl Chloride	75.2 pounds per year

- a. Reporting Requirements - For compliance purposes, within 30 days after each calendar year, regardless of the actual emissions, the following shall be reported to the Regional Supervisor, DAQ:

The highest Facility-wide hourly, daily (where applicable), and annual emission rate for each air toxic listed above for the previous year.

- b. Recordkeeping Requirements - The following recordkeeping requirements apply:

The Permittee shall maintain records of all materials and process operations necessary to demonstrate compliance with the above limits.

- 13. TOXIC AIR POLLUTANT EMISSIONS LIMITATION REQUIREMENT - Pursuant to 15A NCAC 02Q .0711 "Emission Rates Requiring a Permit," for each of the below listed toxic air pollutants (TAPs), the Permittee has made a demonstration that Facility-wide actual emissions, where all emission release points are unobstructed and vertically oriented, do not exceed the Toxic Permit Emission Rates (TPERs) listed in 15A NCAC 02Q .0711(b). The Facility shall be operated and maintained in such a manner that emissions of any listed TAPs from the Facility, including fugitive emissions, will not exceed TPERs listed in 15A NCAC 02Q .0711(b).

- a. A permit to emit any of the listed TAPs below shall be required for the Facility if actual emissions from all sources will become greater than the corresponding TPERs.
- b. PRIOR to exceeding any of these listed TPERs, the Permittee shall be responsible for obtaining a permit to emit TAPs and for demonstrating compliance with the requirements of 15A NCAC 02D .1100 "Control of Toxic Air Pollutants".
- c. In accordance with the approved application, the Permittee shall maintain records of operational information demonstrating that the TAP emissions do not exceed the TPERs as listed below:

<b>Pollutant</b>	<b>Carcinogens (lb/yr)</b>	<b>Chronic Toxicants (lb/day)</b>	<b>Acute Systemic Toxicants (lb/hr)</b>	<b>Acute Irritants (lb/hr)</b>
1,1,1-Trichloroethane (Methyl chloroform)		505.4		257.98
1,1,1,2-Tetrachloroethane	581.110			
1,1-Dichloroethene (Vinylidene chloride)		5.1		
1,2-Dichloroethane (Ethylene dichloride)	350.511			
Acrylonitrile		1.3	1.05	
Carbon disulfide		7.8		
Carbon tetrachloride	618.006			
Chlorobenzene		92.7		
Chlorine		1.6		0.95
Chloroform	396.631			
Dichloromethane (Methylene chloride)	2213.752		1.79	
Ethylene dibromide	36.896			
Ethyl mercaptan (Ethanethiol)			0.11	
Hydrogen fluoride		1.3		0.26
Hydrogen sulfide		5.1		
Mercury		0.025		
Methyl ethyl ketone		155.8		93.19
Methyl isobutyl ketone		107.8		31.59
Methyl mercaptan			0.05	
Perchloroethylene (Tetrachloroethene)	17525.534			
Toluene		197.96		58.97
Trichloroethylene (Trichloroethene)	5442.140			
Xylenes		113.7		68.44

#### 14. STATE-ENFORCEABLE-ONLY

##### **Disclosure of Information Relating to Emissions of Fluorinated Chemicals [15A NCAC 02Q .0308(a); 15A NCAC 02Q .0309(b)]**

The Permittee shall have an ongoing duty to disclose the known presence of materials containing fluorinated chemicals at the Facility that have the potential to result in the emission of fluorinated chemicals to the environment. Such disclosures shall be in writing and submitted to the Regional Office Supervisor within thirty days of the Permittee becoming aware of such information, unless such information has already been disclosed to DAQ by the Permittee.

The disclosure shall describe the identity, quantity, and use of such material to the extent known. DAQ may require the permittee to conduct analysis or testing of fluorinated chemical emissions as necessary to properly evaluate emissions sources at the Facility. As used in this condition, the term “fluorinated chemicals” includes but is not limited to per- and polyfluoroalkyl substances (PFAS).

## **B. GENERAL CONDITIONS AND LIMITATIONS**

1. In accordance with G.S. 143-215.108(c)(1), TWO COPIES OF ALL DOCUMENTS, REPORTS, TEST DATA, MONITORING DATA, NOTIFICATIONS, REQUESTS FOR RENEWAL, AND ANY OTHER INFORMATION REQUIRED BY THIS PERMIT shall be submitted to the:

Regional Supervisor  
North Carolina Division of Air Quality  
Fayetteville Regional Office  
Systel Building, 225 Green St., Suite 714  
Fayetteville, NC 28301  
910-485-7467

For identification purposes, each submittal should include the facility name as listed on the permit, the facility identification number, and the permit number.

2. RECORDS RETENTION REQUIREMENT - In accordance with 15A NCAC 02D .0605, 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. ANNUAL FEE PAYMENT - Pursuant to 15A NCAC 02Q .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.
4. EQUIPMENT RELOCATION - In accordance with 15A NCAC 02Q .0301, 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.
5. REPORTING REQUIREMENT - In accordance with 15A NCAC 02Q .0309, 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.

6. In accordance with 15A NCAC 02Q .0309, 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. In accordance with G.S. 143-215.108(c)(1), the Facility shall be properly operated and maintained at all times in a manner that will effectuate 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. CHANGES NOT REQUIRING PERMIT REVISIONS - Pursuant to 15A NCAC 02Q .0318, changes to the Facility that are not exempt pursuant to 15A NCAC 02Q .0102 may be allowed without first modifying an applicable air permit if the change(s) meet(s) the requirements of 15A NCAC 02Q .0318(b)(1) through (b)(5) and the owner or operator notifies the Director in writing, using forms provided by the Division, seven calendar days before the change is made. Within 10 business days of receipt of the notice, the Division shall notify the owner or operator of its determination of whether the change(s) meet(s) the requirements of 15A NCAC 02Q .0318(b)(1) through (b)(5).
8. In accordance with G.S. 143-215.108(c)(1), this permit is nontransferable by the Permittee. Future owners and operators must obtain a new air permit from the DAQ.
9. In accordance with G.S. 143-215.108(c)(1), 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. In accordance with G.S. 143-215.108(c)(1), 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. In accordance with 15A NCAC 02D .0605, 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. In accordance with G.S. 143-215.108(c)(1), this permit does not relieve the Permittee of the responsibility of complying 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 - In accordance with 15A NCAC 02Q .0110, 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 15A NCAC 02D .2100 "Risk Management Program," 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 with the USEPA in accordance with 40 CFR Part 68.
17. GENERAL EMISSIONS TESTING AND REPORTING REQUIREMENTS - 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 or to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow all DAQ procedures including protocol approval, regional notification, report submittal, and test results approval. Additionally, in accordance with 15A NCAC 02D .0605, the Permittee shall follow the procedures for obtaining any required audit sample and reporting those results.

Permit issued this the xx of **XXXXXX**, 2023.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

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Mark J. Cuilla, EIT, CPM  
Permitting Chief  
By Authority of the Environmental Management Commission