

BEFORE THE NORTH CAROLINA
ENVIRONMENTAL MANAGEMENT COMMISSION

STATE OF NORTH CAROLINA)	
)	
COUNTY OF WILKES)	
)	
IN THE MATTER OF:)	SPECIAL ORDER BY CONSENT
JELD-WEN INC.)	
)	SOC 2025 - _____
)	
NORTH WILKESBORO, WILKES)	
COUNTY)	
NORTH CAROLINA)	
[FACILITY ID NUMBER 9700175])	

This SPECIAL ORDER BY CONSENT (hereinafter referred to as the “ORDER”) is made and entered into pursuant to North Carolina General Statute 143-215.110 by and between JELD-WEN INC. (hereafter referred to as the “COMPANY”) and the ENVIRONMENTAL MANAGEMENT COMMISSION, an agency of the State of North Carolina (hereinafter referred to as the “COMMISSION”).

WITNESSETH:

- I. The COMMISSION and the COMPANY do hereby stipulate and agree to the following:
 - A. The COMPANY operates EMISSION SOURCES AND CONTROL DEVICES (hereafter referred to as the “FACILITY”) located at 205 LANES DRIVE in NORTH WILKESBORO, WILKES COUNTY, North Carolina. The FACILITY currently operates under Title V Air Quality Permit No. 10247T08, issued on November 13, 2022.
 - B. “Affected sources” at the FACILITY include the sources listed in the current Title V Air Quality Permit No. 10247T08, issued on November 13, 2022, and incorporated herein by reference.
 - C. The FACILITY is subject to both State and Federal air quality regulations which are incorporated into Air Quality Permit No. 10247T08. The permitted emission sources and associated air pollution control devices and appurtenances are subject to emissions and operational standards as well as monitoring, recordkeeping, and reporting requirements.

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- D. Air Quality Permit No. 10247T08 has an expiration date of FEBRUARY 28, 2025.
- E. SECTION 4 – GENERAL CONDITION K of the permit states that, “permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration.” Therefore, the due date for the renewal application was AUGUST 28, 2024. The FACILITY’s renewal application was postmarked on SEPTEMBER 4, 2024, and delivered to the North Carolina Department of Environmental Quality’s Division of Air Quality (DAQ) on SEPTEMBER 5, 2024.
- F. DAQ has determined that its review of the renewal application for Air Quality Permit No. 10247T08 will not be completed, nor the renewed permit issued, prior to the permit expiration date of FEBRUARY 28, 2025.
- G. DAQ plans to issue a Notice of Violation / Notice of Recommendation of Enforcement (NOV/NRE) to the COMPANY when Air Quality Permit No. 10247T08 expires for operating the FACILITY with an expired Air Quality (Title V) Permit.
- H. DAQ has determined that, due to the COMPANY’s commitment to maintain compliance with all State and Federal air quality regulations, this ORDER is a necessary and appropriate mechanism to address the period of time the FACILITY will be in operation with an expired Air Quality (Title V) Permit.

THEREFORE, the COMMISSION and the COMPANY, desiring to resolve and settle the compliance issues between them, have agreed to enter into this ORDER with the following terms and conditions:

- II. The COMPANY, desiring to operate in a safe and environmentally sound manner during the period of this ORDER and thereafter in accordance with the rules and regulations of the COMMISSION, does hereby agree to adhere to the following conditions:
 - A. The COMPANY will comply with all terms, conditions, and requirements of Air Quality Permit No. 10247T08 until a new Air Quality Permit is issued. The terms, conditions, and requirements of Air Quality Permit No. 10247T08 are incorporated into this ORDER by reference.

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- III. The COMPANY shall pay the following penalties:
- A. The COMPANY agrees to pay DAQ a civil penalty in the amount of \$4000.00. This amount shall be paid within 30 days of the effective date of this ORDER.
 - B. In the event that the COMPANY fails to comply with Paragraph II of this ORDER, the COMPANY shall be subject to appropriate enforcement action pursuant to N.C.G.S. § 143-215.114A.

The COMPANY shall notify DAQ in writing of any violation of Paragraph II of this ORDER within ten (10) days of discovering such violation.

- IV. In addition to any enforcement actions initiated by DAQ pursuant to Paragraph III, in the event the COMPANY violates this ORDER, the COMPANY may be subject to an injunction action pursuant to N.C.G.S. § 143-215.114C for relief necessary to prevent or abate the violations. Except as indicated in Paragraph I.G and as authorized pursuant to this Paragraph and Paragraph III, the COMPANY shall not be issued any further Notices of Violation or be subject to enforcement action for the violations specified in Paragraph I. Any other violations for which the COMPANY is responsible shall subject the COMPANY to appropriate enforcement action pursuant to N.C.G.S. §§ 143-215.114A, 143-215.114B and 143-215.114C.
- V. The COMPANY agrees to waive any rights it may have to seek judicial review to challenge this ORDER.
- VI. All notices and reports required by this ORDER shall be delivered to:

Regional Air Quality Supervisor
N.C. Dept. of Environmental Quality
450 WEST HANES MILL ROAD, SUITE 300
WINSTON-SALEM, North Carolina 27105

All payments required from the COMPANY by this ORDER shall be delivered to:

Enforcement Group – Payments
NCDEQ – DAQ
1641 Mail Service Center
Raleigh, North Carolina 27699-1641

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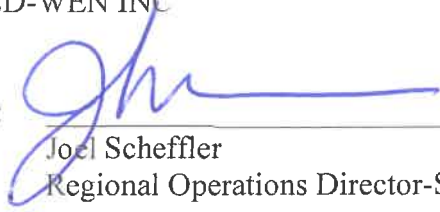
- VII. Final approval and entry into this ORDER are subject to the requirements that the COMMISSION give notice of proposed special orders to the public, and that the public have at least thirty (30) days within which to comment on the ORDER.
- VIII. Should any provision of this ORDER be declared by a court of competent jurisdiction to be inconsistent with Federal or State law and therefore unenforceable, the remaining provisions hereof shall remain in full force and effect.
- IX. The Parties may jointly stipulate and agree to modify this ORDER at any time subject to the requirements of 15A NCAC 02D .2203. Any modifications of this ORDER must be agreed to in writing signed by both parties.
- X. Except as otherwise set forth herein, this ORDER is not and shall not be interpreted to be a permit or modification of an existing permit under Federal, State or local law, and shall not be construed to waive or relieve the COMPANY of its obligations to comply in the future with any permit.
- XI. This ORDER is effective on execution by the COMMISSION and shall expire when DAQ takes final action on the FACILITY's renewal application.

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ATTESTED:

JELD-WEN INC

BY:



Joel Scheffler
Regional Operations Director-Southeast/Michigan

DATE:

01/27/2025

APPROVED AND ACCEPTED:

BY:

For the Environmental Management Commission

DATE: