



NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL ABRACZINSKAS  
Director

August 24, 2020

Mr. Gregg Bowler, CFO  
Carolina Sunrock LLC  
200 Horizon Drive, Suite 100  
Raleigh, NC 27615

Subject: Denial of Air Quality Permit Application Without Prejudice- Carolina Sunrock LLC – Burlington North (Application # 1700016.19A)

Dear Mr. Bowler:

On September 16, 2019, the Division of Air Quality (Division) received your application for a synthetic minor permit for a new hot mix asphalt plant and concrete batch plant called Burlington North.

The Division has conducted ambient air quality modeling of criteria pollutant emissions from the facility to assess compliance with the National Ambient Air Quality Standards (NAAQS). The Division's modeling analysis indicates that emissions sources at the Burlington North facility, operated as described in your permit application and under modeled conditions, would cause violations of the nitrogen dioxide and sulfur dioxide NAAQS beyond the property boundary. The attached memo provides a summary of the modeling analysis.

15A NCAC 02Q. 0308 authorizes the Director of the Division to deny a permit application when necessary to carry out the purposes of G.S. 143, Article 21B. Compliance with the NAAQS is a foundational part of North Carolina's air quality program and is central to the purposes of G.S. 143, Article 21B. To that end, 15A NCAC 02D .0501, adopted pursuant to authority set forth in G.S. 143-215.107, requires all sources of air pollution in the State to be "operated with such control or in such manner that the source shall not cause the ambient air quality standards of Section .0400 of this Subchapter to be exceeded at any point beyond the premises on which the source is located." See also 15A NCAC 02D .0401 ("no facility, or source of air pollution shall cause any ambient air quality standard in this Section to be exceeded or contribute to a violation of any ambient air quality standard in this Section except as allowed by 15A NCAC 02D .0532 or .0532").

Based on the foregoing, your application is hereby denied without prejudice. You may file a new permit application. Any such application must contain sufficient information that demonstrates compliance with the NAAQS.



The Division's decision can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) within thirty (30) calendar days. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <http://www.ncoah.com/> or by calling the OAH Clerk's Office at (919) 431-3000. One (1) copy of the Petition must also be served to the North Carolina Department of Environmental Quality:

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

Please contact Ray Stewart at (336) 776-9637 or [ray.stewart@ncdenr.gov](mailto:ray.stewart@ncdenr.gov) if you have any questions.

Sincerely,



Michael A. Abraczinskas, Director  
Division of Air Quality, NCDEQ

ATTACHMENT

cc: Director's File  
Michael Pjetraj, DAQ Deputy Director  
Ray Stewart, DAQ Winston-Salem Regional Office  
Davis Murphy, DAQ Winston-Salem Regional Office