

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

MICHAEL A. ABRACZINSKAS  
*Director*



XX

Mr. Mark Maloney  
Manager  
Optima TH, LLC  
4441-106 Six Forks Road, Unit 379  
Raleigh, NC 27609

Subject: Air Permit No. 10673R00  
Optima TH  
Tar Heel, Bladen County, North Carolina  
Permit Class: Title V  
Facility ID# 0900096

Dear Mr. Maloney:

In accordance with your completed application received August 20, 2020, we are forwarding herewith Permit No. 10673R00 to Optima TH, Tar Heel, Bladen County, North Carolina for the construction and operation of air emissions sources or air cleaning devices and appurtenances. Please note the records retention requirements are contained in General Condition 2 of the General Conditions and Limitations.

If any parts, requirements, or limitations contained in this 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. Such a request will stay the effectiveness of the entire permit. This hearing request must be in the form of a written petition, conforming to G.S. 150B-23 of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Unless a request for a hearing is made pursuant to G.S. 150B-23, this air permit shall be final and binding.

You may request modification of your air permit through informal means pursuant to G.S. 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 the permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under G.S. 150B-23.

**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**



North Carolina Department of Environmental Quality | Division of Air Quality

217 West Jones Street, Suite 4000 | 1641 Mail Service Center | Raleigh, NC 27699-1641

919.707.8400

Mr. Mark Maloney

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Page 2

**Permittee to civil or criminal penalties as described in G.S. 143-215.114A and 143-215.114B.**

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

For PSD increment tracking purposes, PM<sub>10</sub> emissions from this modification are increased by 0.02 pounds per hour and SO<sub>2</sub> emissions from this modification are increased by 38.99 pounds per hour.

**This permit is the result of a request for a new air quality permit for an unpermitted facility; all emission source and control device are new. 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 Rahul P. Thaker, P.E., QEP, at 919-707-8740.

Sincerely,

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

Enclosures

c: Heather Carter, Fayetteville Regional Office  
Connie Horne, Cover letter only  
Central Files

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF AIR QUALITY

**AIR PERMIT NO. 10673R00**

Issue Date: xx

Effective Date: xx

Expiration Date: xx

Replaces Permit: (new)

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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,

Optima TH  
15855 Highway 87 West  
Tar Heel, Bladen County, North Carolina  
Permit Class: Title V  
Facility ID# 0900096

(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-1	One (non-emitting) gas upgrading system (GUS) with a design capacity of 900 scfm, consisting of dual pressure swing adsorption (PSA) trains	CD-1	One biogas/tail gas/product gas/propane/natural gas-fired candlestick (open) flare (50 million Btu per hour maximum heat input rate)

in accordance with the completed application 0900096.20A received August 20, 2020 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.

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 .0516, 02D .0521, 02D .0535, 02D .0540, 02D .1100, 02D .1806, 02Q .0207, 02Q .0304, 02Q .0504, 02Q .0507 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 .0304(d) and (f). Pursuant to 15A NCAC 02Q .0203(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. SULFUR DIOXIDE CONTROL REQUIREMENT - As required by 15A NCAC 02D .0516 "Sulfur Dioxide Emissions from Combustion Sources," sulfur dioxide emissions from the candlestick flare (ID No. CD-1) 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 (ID No. CD-1) is designed and operated as below within 180 days of the issuance of the air quality permit 10673R00:

    - i. Flare shall be designed for and operated with no visible emissions as determined by the Method 22 of Appendix A to 40 CFR 60, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. The observation period is 2 hours and shall be used according to Method 22.
    - ii. Flare shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
    - iii. Flare shall meet the following heat content and maximum tip velocity specifications as below:
      - (A) Flare shall be used only with the net heating value of the gas being combusted being 300 Btu/scf or greater if the flare is steam-assisted or air-assisted; or 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 steam-assisted or 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.3.a.iii.(C) and (D).
      - (C) If the flare is steam-assisted or non-assisted flare, it shall be designed for and operated with an exit velocity greater than 60 ft/sec but less than 400 ft/sec, provided the net heating value of the gas being combusted is greater than 1,000

Btu/scf.

- (D) Steam-assisted or non-assisted flare designed for and operated with an exit velocity less than 400 ft/sec is permitted as long as the exit velocity is less than the velocity,  $V_{max}$ , as determined below in Section A.3.a.iii.(H).
- (E) Air-assisted flare shall be designed and operated with an exit velocity less than the velocity,  $V_{max}$ , as determined by the method specified in Section A.3.a.iii.(I) below.
- (F) 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 offgas 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.

- (G) The actual exit velocity of a 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.
- (H) 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.

- (I) If the flare is air-assisted flare, it shall be designed and operated with an exit velocity less than the velocity,  $V_{max}$ , as determined by the following method:

$V_{max} = 8.706 + 0.7084 (H_T)$

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

8.706 = Constant

0.7084 = Constant

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

Monitoring/Recordkeeping [15A NCAC 02Q .0308(a)]

- b. The Permittee shall calculate the SO<sub>2</sub> emission rate (lb/million Btu) for the candlestick flare (ID No. CD-1) for all operating scenarios (normal operation, bypass operation, and off-spec operation) on a 24-hour block average basis as specified below for each day the facility is operating.

Equation 1

SO<sub>2</sub> emission rate, lb/million Btu

= {SO<sub>2</sub> formed due to destruction of H<sub>2</sub>S and other trace sulfur compounds in biogas and tail gas by flare} + {SO<sub>2</sub> formed due to combustion of fuel in flare}

=  $\{[(60 * MW * P * V) / (R * T)] * \eta\} / \{HI\} + \{0.001\} + \{EF\} / \{HV\}$

Where,

MW = molecular weight of SO<sub>2</sub>, lb/lb-mol = 64.06 lb/lb-mol

P = absolute pressure, psia = 14.7 psia (reference condition of 1 atmosphere)

V = average daily actual flow rate of H<sub>2</sub>S in both biogas and tail gas, scfm

R = ideal gas law constant = 10.73 psia - ft<sup>3</sup>/lb-m °R

T = absolute temperature, °R = 528 °R (reference condition of 20 °C)

$\eta$  = destruction efficiency of flare for H<sub>2</sub>S, percent = 98 percent

HI = average daily actual heat input rate (biogas, tail gas, product gas<sup>1</sup>, propane, and natural gas) for flare, million Btu/hr

EF = SO<sub>2</sub> emission factor for combustion of fuel in flare, lb/10<sup>6</sup> sft<sup>3</sup> = 0.60 lb/10<sup>6</sup> sft<sup>3</sup>

HV = weighted average fuel heating value (biogas, tail gas, product gas<sup>2</sup>, propane, and natural gas), based on the monthly measured or fuel-supplier's heating values for each of the fuels and actual fuel flow rate for each to flare, Btu/sft<sup>3</sup>

0.001 = default SO<sub>2</sub> emission rate for trace sulfur compounds in biogas and tail gas in lb/million Btu, unless and until the facility can demonstrate, through sampling, that an alternative value is more representative

For each hourly operation of the flare, the Permittee shall calculate the flow rate of H<sub>2</sub>S

<sup>1</sup> For off-spec scenario only.

<sup>2</sup> Id.

as  $V_h$  (scfm) in Equation 2 below and determine the average of all calculated hourly values of the day and input as average daily value of  $V$  (scfm) in the Equation 1 above:

Equation 2

$$V_h, \text{ scfm} = (\% \text{ by volume H}_2\text{S in biogas} * \text{amount of biogas, scfm}) + (\% \text{ by volume H}_2\text{S in tail gas} * \text{amount of tail gas, scfm})$$

For each hourly operation of the flare, the Permittee shall calculate the heat input for the flare as  $HI_h$  (million Btu/hr) in Equation 3 below and determine the average of all calculated hourly values for the day and input as average daily value of  $HI$  (million Btu/hr) in the Equation 1 above:

Equation 3

$$HI_h, \text{ million Btu/hr} = \{ \{ (\text{biogas flow rate, scfm}) * (\text{biogas heating value (HHV), Btu/sft}^3) \} + \{ (\text{tail gas flow rate, scfm}) * (\text{tail gas heating value (HHV), Btu/sft}^3) \} + \{ (\text{product gas flow rate, scfm}) * (\text{product gas heating value (HHV), Btu/sft}^3) \}^3 + \{ (\text{propane flow rate, scfm}) * (\text{propane heating value (HHV), Btu/sft}^3) \} + \{ (\text{natural gas flow rate, scfm}) * (\text{natural gas heating value (HHV), Btu/sft}^3) \} \} * \{ 60 \text{ min/hr} \}$$

- c. The Permittee will be required to perform the following monitoring on an hourly basis for each day the facility is operating:
- i. Measure the amount of biogas entering the GUS (scfm) using a flow monitor.
  - ii. Measure the amount of biogas entering the flare (scfm), bypassing the GUS, using a flow meter.
  - iii. Measure the amount of tail gas leaving the GUS (scfm) using a flow meter.
  - iv. Determine the product gas leaving the GUS (scfm) using the mass balance method and the data collected in Sections A.3.b.i. and iii. above.
  - v. Measure the amounts of propane and natural gas entering the flare (scfm).
  - vi. Measure the concentrations of both methane (% volume) and  $\text{H}_2\text{S}$  (% volume) in the biogas using a biogas analyzer (gas chromatograph).
  - vii. Measure the methane concentration (% volume) in the product gas using a gas analyzer.
  - viii. Determine the concentration of  $\text{H}_2\text{S}$  (% volume) in the tail gas using the biogas data collected in Section A.3.c.vi. above.

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<sup>3</sup> Id.

- d. The Permittee shall analyze the biogas and the tail gas samples once every month to determine the respective heating values (HHV), Btu/sft<sup>3</sup>.
- e. The Permittee shall maintain on site the records of all monitoring activities included in Section A.3.b.through d. above.
- f. A written inspection, maintenance, and calibration plan shall be submitted by the facility to the DAQ within 30 days of the issuance of the Air Permit No. 10673R00 for any air pollution control equipment, parameter monitors, and data recording equipment. Once approved by the DAQ, a copy of the written plan shall be kept onsite at all times and made available to DAQ personnel upon request.

Reporting [15A NCAC 02Q .0308(a)]

- g. The Permittee shall submit a report within 180 days of the issuance of the air quality permit 10673R00, verifying that the candlestick flare (ID No. CD-1) is designed and operated as per the requirements in Section A.3.a. above.
  - h. The Permittee shall submit a summary report of the SO<sub>2</sub> emissions rate (lb/million Btu) for the flare (ID No. CD-1) included in Section A.3.b. above, and monitoring and recordkeeping activities included in Sections A.3.c. and d. above, 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. SO<sub>2</sub> emission rates shall be reported for each day the facility is operating.
4. VISIBLE EMISSIONS CONTROL REQUIREMENT - As required by 15A NCAC 02D .0521 "Control of Visible Emissions," visible emissions from the candlestick flare (ID No. CD-1), 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 02D .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.
5. 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.

6. 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, 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).
7. CONTROL AND PROHIBITION OF ODOROUS EMISSIONS - As required by 15A NCAC 02D .1806 "Control and Prohibition of Odorous Emissions" the Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.
8. 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.
9. REPORTING REQUIREMENT - The Permittee shall submit a complete Title V application to the Regional Supervisor, DAQ, within 90 days from the issuance of the air permit 10673R00.
10. 15A NCAC 02Q .0507 "APPLICATION" - Pursuant to 02Q .0507 "Application," the Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the Title V application, shall promptly submit such supplementary facts or corrected information to:

Physical, Courier Service & Certified Mail Address	Regular Mail Address
2728 Capital Boulevard Raleigh, NC 27604	1641 Mail Service Center Raleigh, NC 27699-1641

11. 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 permit to emit any of the below listed TAPs shall be required for this facility if actual emissions from all sources will become greater than the corresponding TPERs.
  - 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".
  - 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:

Pollutant	Carcinogens (lb/yr)	Chronic Toxicants (lb/day)	Acute Systemic Toxicants (lb/hr)	Acute Irritants (lb/hr)
Acetaldehyde (75-07-0)				28.43
Acrolein (107-02-8)				0.08
Ammonia (as NH3) (7664-41-7)				2.84
Benzene (71-43-2)	11.069			
Benzo(a)pyrene (Component of 83329/POMTV & 56553/7PAH) (50-32-8)	3.044			
Formaldehyde (50-00-0)				0.16
Hexane, n- (110-54-3)		46.3		
Toluene (108-88-3)		197.96		58.97

12. CONTROL OF TOXIC AIR POLLUTANTS REQUIREMENT - Pursuant to 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" and in accordance with the approved air toxic compliance demonstration, the following permit limit shall not be exceeded. Placement of the emission sources, configuration of the emission points, and operation of the sources shall be in

accordance with the submitted Form D3 “Modeling Request Forms” and should reflect changes from this form (if any) as outlined in the AQAB review memo.

Emission Source	Toxic Air Pollutant	Emission Limit
candlestick flare (ID No. CD-1)	Hydrogen sulfide	9.96 lbs per day

Monitoring/Recordkeeping [15A NCAC 02Q .0308(a)]

- a. The Permittee shall calculate and keep records of H<sub>2</sub>S emission rate (lb/day) for the candlestick flare (ID No. CD-1) on a 24-hour block average basis as below for each day the facility is operating.

H<sub>2</sub>S emission rate, lb/day

$$= \left[ \frac{(60 * MW * P * V)}{(R * T)} \right] * \{1-\eta\} * \{24\}$$

Where,

MW = molecular weight of H<sub>2</sub>S, lb/lb-mol = 34.06 lb/lb-mol

P = absolute pressure, psia = 14.7 psia (reference condition of 1 atmosphere)

V = average daily actual flow rate of H<sub>2</sub>S in both biogas and tail gas, scfm

R = ideal gas law constant = 10.73 psia - ft<sup>3</sup>/lb-m °R

T = absolute temperature, °R = 528 °R (reference condition of 20 °C)

η = destruction efficiency of flare for H<sub>2</sub>S, percent = 98 percent

The Permittee shall use in the equation above in this Section A.12.a. the average daily value of V (scfm) as determined in Section A.3.b. above.

- b. In addition to calculation of daily H<sub>2</sub>S emission rate in Section A.12.a. above, the monitoring and recordkeeping requirements for both H<sub>2</sub>S flow rate and concentration for both biogas and tail gas, as required in Section A.3.c. above, shall ensure compliance with the 15A NCAC 02Q .0711.
- c. The Permittee shall maintain on site the records of all monitoring activities included in Section A.12.a. above.

Reporting [15A NCAC 02Q .0308(a)]

- d. The Permittee shall submit a report of H<sub>2</sub>S emissions rates (lb/day) for the flare in Section A.12.a. above, 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. H<sub>2</sub>S emission rates shall be reported for each day the facility is operating.

**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 Street, Suite 714  
Fayetteville, NC 28301-5094  
910-433-3300

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. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. PREVENTION OF ACCIDENTAL RELEASES - GENERAL DUTY - Pursuant to Title I Part A Section 112(r)(1) of the Clean Air Act "Hazardous Air Pollutants - Prevention of

Accidental Releases - Purpose and General Duty," 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.**

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.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

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