WESTERN NORTH CAROLINA REGIONAL AIR QUALITY AGENCY

AIR QUALITY PERMIT

Until such time as this permit expires or is modified or revoked, the below named Permittee is authorized to operate, as outlined in Part I, "Air Quality Title V Operation Permit", and to construct and operate, as outlined in Part II, "Air Quality Construction and Operation Permit", the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of the Western North Carolina Regional Air Quality Agency Air Quality Code (WNCRAQA Code) and is subject to all requirements therein.

Pursuant to WNCRAQA Code Chapter 17, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the Western North Carolina Regional Air Quality Agency and received an Air Quality Permit, except as provided in this permit.

Permittee:	**Metropolitan Sewerage District of Buncombe County**
Facility ID:	**11-772**
Facility Site Location:	**2225 Riverside Drive**
City, State, Zip:	**Asheville, North Carolina 28804**
Facility Mailing Address:	**2225 Riverside Drive**
City, State, Zip:	**Asheville, North Carolina 28804**
Permit Number:	**11-772-18**
Replaces Permit Number:	**11-772-14A**
Issue Date:	**May 14, 2018**
Effective Date:	**June 1, 2018**
Renewal Application Due Date:	**September 3, 2022**
Expiration Date:	**May 31, 2023**

David A. Brigman, Director

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PART I - AIR QUALITY TITLE V OPERATION PERMIT

The Western North Carolina Regional Air Quality Agency (WNCRAQA), the United States Environmental Protection Agency (EPA), and citizens as defined under the Federal Clean Air Act have the authority to enforce the terms, conditions, and limitations contained in Part I of this permit unless otherwise specified.

Under WNCRAQA Code Chapter 17, the operation of emission source(s) and associated air pollution control device(s) listed in Part I of this permit is based on plans, specifications, operating parameters, and other information as submitted in the Air Quality Permit Application.

SECTION 1 - PERMITTED EMISSION SOURCE(S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE(S)

The following table contains a summary of all permitted emission sources and associated air pollution control devices:

Emission Source ID	Emission Source Description	Control Device ID	Control Device Description
TC-1	One (1) natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator with a maximum rated capacity of 2,651 dry pounds per hour, 8.0 million Btu per hour rated auxiliary heat input, with emissions controlled by a VenturiPak scrubber with sorbent polymer mercury control stage	CD1	One (1) VenturiPak scrubber with sorbent polymer mercury control stage
EG-1	One (1) Diesel-Powered Emergency Generator - rated at 2,000 KW or 2,682 HP.	NA	NA
EG-2	One (1) Diesel-Powered Emergency Generator - rated at 1,000 KW and 1,474 HP	NA	NA
EG-3	One (1) Diesel-Powered Emergency Generator - rated at 1,000 KW and 1,474 HP	NA	NA
SS	One (1) sand storage silo	CD4	One (1) Dust Collector with 200 ft^2 of filter area

SECTION 2 - SPECIFIC CONDITIONS AND LIMITATIONS

The emission sources and associated air pollution control devices listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

2.1 - Emission Source ID TC-1

The following table provides a summary of limits and standards for the emission source referenced above:

Regulated Pollutant	Limits / Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million BTU heat input	WNCRAQA Code 4.0516
Visible emissions	20 percent opacity	WNCRAQA Code 4.0521
Particulate matter Visible emissions	1.3 pounds per ton of sludge dry input 20 percent opacity	WNCRAQA Code 4.0524 Subpart O
Beryllium Mercury	10 grams per 24-hour period 3,200 grams per period	WNCRAQA Code 4.1100
Particulate matter Visible Emissions Hydrogen Chloride Carbon Monoxide Dioxins and Furans Mercury Nitrogen Oxides Sulfur dioxide Cadmium Lead Beryllium Toxic air pollutants Carbon Monoxide	As per 40 CFR 60.5165 20 percent opacity As per 40 CFR 60.5165 As per 40 CFR 60.5165 As per 40 CFR 60.5165 As per Chapter 4.1110 and 40 CFR 60.5165 As per 40 CFR 60.5165 As per 40 CFR 60.5165 As per 40 CFR 60.5165 As per 40 CFR 60.5165 As per Chapter 4.1110 As per Chapter 4.1100 **See Section 2.5(A)** 100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)	WNCRAQA Code 4.1204
Lead Arsenic Cadmium Chromium Nickel	As defined in specific condition, continuous emission monitoring quality assurance reporting	40 CFR Part 503, Subpart E Chapter 4.0613
Cadmium Carbon monoxide Hydrogen chloride Mercury Nitrogen dioxide Lead Dioxins/furans Particulate matter Sulfur dioxide Fugitive emissions	As defined in specific condition	40 CFR Part 62, Subpart LLL

(A) WNCRAQA CODE 4.0516 - SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0516 & 17.0508(b)]
Emissions of sulfur dioxide from this source (TC-1) shall not exceed 2.3 pounds per million BTU heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

(2) **Testing** [WNCRAQA Code 4.2611]
If emissions testing is required, the testing shall be performed in accordance with WNCRAQA Code 4.2611 and General Condition JJ. If the results of this test are above the limit given in Section 2.1(A)(1) above, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0516.

(3) **Monitoring/Recordkeeping/Reporting** [WNCRAQA Code 17.0508(f)]
No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the burning of natural gas in this source (TC-1).

(B) WNCRAQA CODE 4.0521 - CONTROL OF VISIBLE EMISSIONS

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0521(c) & 17.0508(b)]
Visible emissions from this source (TC-1) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

(2) **Testing** [WNCRAQA Code 4.2610]
No testing is required at this time; however, WNCRAQA reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with WNCRAQA Code 4.2610 and General Condition JJ. If the results of this test are above the limit given in Section 2.1(B)(1) above, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0521.

(3) **Monitoring/Recordkeeping/Reporting** [WNCRAQA Code 4.0605(b) & 17.0508(f)]
No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in this source (TC-1).

(C) WNCRAQA CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS SUBPART O

(1) For the sewage sludge incinerator (TC-1), the Permittee shall comply with all applicable provisions for emissions standards, compliance and performance testing, emission monitoring, and reporting and recordkeeping, in accordance with Chapter 4 .0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR 60, Subpart O "Standards of Performance for Sewage Treatment Plants", including Subpart A "General Provisions."

(2) **NSPS Emissions Limitations** [40 CFR 60.152]
The following permit limits shall not be exceeded:

Affected Source(s)	Pollutant	Emissions Limit
One (1) natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator (2,651 dry pounds of sludge per hour maximum charge rate; 8.0 million Btu per hour rated auxiliary heat input) (ID No. TC-1)	TSP	1.3 pounds per ton of dry sludge input
	Visible Emissions	Less than 20 percent opacity

(3) **PM-Scrubber Requirements** [WNCRAQA Code 4.0524]
As required by WNCRAQA Code 4.0524, particulate matter emissions from the fluidized bed sewage sludge incinerator (ID No. TC-1) shall be controlled as described in the permitted equipment list.

(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. In addition, the Permittee shall perform an annual internal inspection of the VenturiPak scrubber (CD1). As a minimum, the annual internal inspection will include inspection of spray nozzles, packing material (if applicable), chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation.

[WNCRAQA Code 17 .0508(f)]

(b) **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 format) shall be kept on-site and made available to WNCRAQA personnel upon request. [WNCRAQA Code 17.0508(f)]

(4) **Monitoring/Recordkeeping** [WNCRAQA Code 17.0508(f) & 40 CFR 60.153]
Install, calibrate, operate and maintain monitoring devices for the sewage sludge charge rate, auxiliary fuel flow rate, fluidized bed and freeboard area combustion temperatures and exhaust gas oxygen content of the fluidized bed sewage sludge incinerator and the pressure drop of the associated VenturiPak scrubber (CD1). If monitoring and recordkeeping is not performed, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0524.

(5) **Reporting** [WNCRAQA Code 17.0508(f) & 40 CFR 60.155]
Submit semiannual reports by February 15th and August 15th of each year that include a summary of:

(a) A record of average scrubber pressure differential measurements for each period of 15 minutes duration or more during which the pressure differential of the scrubber was less than 30 percent from the average scrubber pressure differential recorded during the most recent source test. Based on the testing conducted in 2016, those periods of duration of at least 15 minutes during which the average pressure drop of the VenturiPak scrubber is less than 27.4 inches of water column, while sewage sludge is charged into the fluidized bed incinerator during the 6 prior calendar months (the average pressure drop during the testing of filterable and condensable PM on February 4, 2016 was 39.1 inches w.c.).

(b) A record of average oxygen content in the incinerator exhaust gas for each period of one hour duration or more that the oxygen content of the incinerator exhaust gas exceeds the average oxygen content measured during the most recent source test by more than 3 percent. Based on the testing that was conducted in 2016, those periods of duration of at least 1 hour during which the average oxygen content of the fluidized bed sewage sludge incinerators exhaust gas is greater than 11.5% while sewage sludge is charged into the fluidized bed incinerator during the 6 prior calendar months (The average % oxygen in the incinerator exhaust gas during the testing on February 4, 2016 was 8.5%).

(D) WNCRAQA CODE 4 .1110: NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS SUBPARTS C AND E

(1) For the natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator (ID No. TC-1), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .1110 "National Emissions Standards for Hazardous Air Pollutants" as promulgated in 40 CFR Part 61 , Subpart C and Subpart E. As required by WNCRAQA Code 4.1110, the following permit limits shall not be exceeded:

Affected Source(s)	Pollutant	Emissions Limit
One (1) natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator (ID No. TC-1)	Beryllium	10 grams per 24-hour period
	Mercury	3,200 grams per 24-hour period

(E) WNCRAQA CODE 4.1204 - SEWAGE SLUDGE AND SLUDGE INCINERATORS

The Permittee shall comply with the following requirements for the natural gas fired fluidized bed sewage sludge incinerator (ID No. TC-1):

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.1204(e) & 17.0508(b)]

Affected Source(s)	Pollutant	Emissions Limit
One (1) natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator (ID No. TC-1)	Particulate Matter	As per WNCRAQA Code 4.0524 and 40 CFR 60.5165*
	Visible Emissions	20 percent opacity
	Hydrogen Chloride	As per 40 CFR 60.5165*
	Carbon Monoxide	As per 40 CFR 60.5165*
	Dioxins and Furans	As per 40 CFR 60.5165*
	Mercury	As per WNCRAQA Code 4.1110 and 40 CFR 60.5165*
	Nitrogen Oxides	As per 40 CFR 60.5165*
	Sulfur Dioxide	As per 40 CFR 60.5165*
	Cadmium	As per 40 CFR 60.5165*
	Lead	As per 40 CFR 60.5165*
	Beryllium	As per WNCRAQA Code 4.1110*
	Toxic Air Pollutants	As per WNCRAQA Code 4.1100*
	Monthly Average Carbon Monoxide Concentration	100 parts per million (volumetric basis, corrected to 7% oxygen and 0% moisture)

Please see section 2.1(G) below

(2) **Other metals** [40 CFR 503.43(c) and (d)]

Pollutant	Maximum Average Daily Concentration in sewage sludge (mg/kg)
Lead	78.7
Arsenic	154
Cadmium	838
Chromium	11,939
Nickel	23,201

(3) **Monitoring** [WNCRAQA Code 4.1204(c) and (d), & 17.0508(f)]
For the fluidized bed sewage sludge incinerator, the Permittee shall:

(a) Install, calibrate, maintain and operate continuous monitoring and recording devices for the incinerator fluidized bed and freeboard area temperatures and the incinerator exhaust gas carbon monoxide concentration, oxygen content, and moisture content. The continuous emissions monitoring devices for carbon monoxide concentration shall be certified in accordance with the appropriate performance specifications in 40 CFR Part 60, Appendix B.

(b) Monitor the beryllium and mercury concentrations in the sewage sludge charged to the incinerator as frequently as required by 40 CFR Part 61, but in no case less than once per year.

(c) Install, calibrate, maintain and operate continuous monitoring and recording devices for the pressure drop and liquid injection rate of the wet scrubber (ID No. CD1).

(d) Monitor the lead, arsenic, cadmium, chromium and nickel concentrations in the sewage sludge charged into the incinerator as frequently as required by 40 CFR 503.46(a)(2) and (3).

The Permittee shall be deemed in noncompliance with WNCRAQA Code 4.1204 if monitoring and recordkeeping is not performed.

(4) **Recordkeeping** [WNCRAQA Code 4.1204(f) & 17.0508(f)]

(a) In accordance with 40 CFR 503.47 and WNCRAQA Code 4. 1204(f), the Permittee shall maintain records sufficient to demonstrate compliance with conditions 2.1.E.1 through 2.1.E.3 for at least 5 years.

(5) **Reporting** [WNCRAQA Code 4.1204(f) & 17.0508(f)]

(a) In accordance with 40 CFR 503.48 and WNCRAQA Code 4.1204(f), the Permittee shall submit to the Director, WNCRAQA, in writing on or before February 15th of each year, a summary report of:

(i) The concentrations of lead, arsenic, cadmium, chromium and nickel in the sewage sludge charged into the incinerator during the previous calendar year.

(ii) The monthly average concentrations of carbon monoxide in the exhaust gas of the incinerator (TC-1) in parts per million on a volume basis, corrected to 0% moisture and 7% oxygen, during the previous calendar year.

(F) **40 CFR Part 503 - STANDARDS FOR THE USE OR DISPOSAL OF SEWAGE SLUDGE: INCINERATION**
For the sewage sludge incinerator (TC-1), the Permittee shall comply with all applicable provisions, including the notification, testing, reporting, recordkeeping, and monitoring requirements contained in 40 CFR Part 503, Subpart E indicated below.

(1) **Emissions of Lead** [WNCRAQA Code 4.1204(c) & 40 CFR Part 503, Subpart E]
The average daily lead concentration in the sewage sludge fed into the fluidized bed sewage sludge incinerator (TC-1) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(c).

(2) **Emissions of Arsenic, Cadmium, Chromium, and Nickel** [WNCRAQA Code 4.1204(c) & 40 CFR Part 503, Subpart E]

The average daily concentrations of arsenic, cadmium, chromium and nickel in the sewage sludge fed into the fluidized bed sewage sludge incinerator (TC-1) shall not exceed the maximum concentration calculated using the equation found in 40 CFR 503.43(d).

(3) Management Practices[40 CFR Part 503, Subpart E]
As required by 40 CFR 503.45, the Permittee shall follow the following management practices:

(a) The Permittee shall install, calibrate, operate, and maintain continuous monitoring and recording devices for the carbon monoxide concentrations, oxygen concentration, and moisture content of the exhaust gas and the combustion temperature of the fluidized bed sewage sludge incinerator (TC-1).

(b) The Permitttee shall not operate the fluidized bed sewage sludge incinerator (TC-1) such that the combustion temperatures exceed the combustion temperatures achieved during the performance testing by more than 20%.

(c) The monitoring and recording devices and the control devices installed on the fluidized bed sewage sludge incinerator (TC-1) to comply with this Subpart must be appropriate for the type of incinerator. The operating parameters of the control device must be adequate to indicate proper performance of the control device. The operation of the control device must not violate the control device requirements of 40 CFR Part 60, Subpart 0.

(4) Recordkeeping [WNCRAQA Code 17.0508(f) & 40 CFR 503.47]
As required by 40 CFR 503.47, the following recordkeeping requirements shall be followed:

(a) Maintain the following records for a period of five (5) years from the date of recording. This information shall be maintained on site and made available to WNCRAQA personnel upon request.

(i) The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the sewage sludge incinerator.

(ii) Information that indicates the requirements in the National Emission Standard for beryllium in 40 CFR Part 61 Subpart C are met.

(iii) Information that indicates the requirements in the National Emission Standard for mercury in 40 CFR Part 61 Subpart E are met.

(iv) The operating combustion temperatures for the sewage sludge incinerator.

(v) Values for the air pollution control device operating parameters.

(vi) The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.

(vii) The sewage sludge feed rate.

(viii) The stack height for the sewage sludge incinerator.

(ix) The dispersion factor for the site where the sewage sludge incinerator is located.

(x) The control efficiency for lead, arsenic, cadmium, chromium, and nickel for each sewage sludge incinerator.

(xi) The risk specific concentration for chromium calculated using equation (6) of 40 CFR 503.43, if applicable.

(xii) A calibration and maintenance log for the instruments used to measure the oxygen concentration in the exit gas from the sewage sludge incinerator stack, the information needed to determine moisture content in the exit gas, and the combustion temperatures.

(5) Reporting [WNCRAQA Code 17.0508(f) & 40 CFR 503.48]
As required by 40 CFR 503.48 on or before February 19th of each year, the Permittee shall submit to the Director, the following information:

(a) The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the sewage sludge incinerator.

(b) Information that indicates the requirements in the National Emission Standard for beryllium in 40 CFR Part 61 Subpart C are met.

(c) Information that indicates the requirements in the National Emission Standard for mercury in 40 CFR Part 61 Subpart E are met.

(d) The operating combustion temperatures for the sewage sludge incinerator.

(e) Values for the air pollution control device operating parameters.

(f) The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.

(G) 40 CFR 62 SUBPART LLL - FEDERAL PLAN REQUIREMENTS FOR SEW AGE SLUDGE INCINERATION UNITS CONSTRUCTED ON OR BEFORE OCTOBER 14, 2010

(1) For the fluidized bed sewage sludge incinerator (TC-1), the Permittee shall comply by March 21 , 2016, with all applicable provisions, including emission standards, monitoring and reporting requirements, maintenance requirements, notification and recordkeeping requirements, performance test requirements, test method and procedural provisions, and any other provisions, in accordance with 40 CFR 62 Subpart LLL.

(2) Notifications [40 CFR §62.15885, §62.15890, §62.15990]
A notification of achievement of compliance must be submitted to the Administrator no later than 10 business days after the compliance date, March 21, 2016, and shall include the following:

(a) Notification that the final control plan has been submitted and final compliance has been achieved;

(b) Any items required to be submitted with the final control plan and final compliance; and

(c) Signature of the owner or operator of the sewage sludge incinerator (SSI) unit.

(3) Submittal of a control plan must satisfy the following two requirements:

(a) The control plan must include:

(i) A description of the devices for air pollution control and process changes used to comply with the emission limits and standards and other requirements of this subpart;

(ii) The type(s) of waste to be burned, if waste other than sewage sludge is to be burned in

the unit;

(iii) The maximum design sewage sludge burning capacity; and

(iv) A petition for site-specific operating limits under §62.15965, if applicable.

(b) Maintain an onsite copy of the final control plan.

(4) **Operator Training and Qualification** [40 CFR §62.15920]
An SSI unit cannot be operated unless a fully trained and qualified SSI unit operator is available, either at the facility or can be at the facility within 1 hour. The trained and qualified SSI unit operator may operate the SSI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified SSI unit operators are temporarily unavailable, the procedures in §62.15945 must be followed.

(5) **Emission Limits, Emission Standards and Operating Limits and Requirements** [40 CFR §62.15955 and Table 2 to Subpart LLL if Part 62]

The following emissions limits and standards must be met by the final compliance date, March 21, 2016. These limits and standards apply at all times the unit is operating and during periods of malfunction. The limits and standards also apply to emissions from a bypass stack or vent while sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time). (40 CFR §62.15955 and Table 2 (FBI) to Subpart LLL of Part 62)

Affected Source(s)	Pollutant	Emissions Limit[1]
One (1) natural gas fired Thermal Sludge Converter consisting of an Enviroquip Fluidized Bed Incinerator (ID No. TC-1)	Particulate Matter	18 mg/dscm
	Hydrogen Chloride	0.51 ppm/dry volume
	Carbon Monoxide	64 ppm/dry volume
	Dioxins/furans (total mass basis)[2] or Dioxins/furans (toxic equivalency basis)	1.2 ng/dscm or 0.10 ng/dscm
	Mercury	0.037 mg/dscm
	Nitrogen Oxides	150 ppm/dry volume
	Sulfur Dioxide	15 ppm/dry volume
	Cadmium	0.0016 mg/dscm
	Lead	0.0074 mg/dscm
	Fugitive Emissions form Ash Handling	Visible emissions from combustion ash and from ash conveying system for no more than 5 percent of any compliance test hourly observation period.

[1]All emission limits are measured at 7-percent oxygen, dry basis at standard conditions.
[2]You have the option to comply with either the dioxin/furan emission limit on a total mass basis or the

dioxin/furan emission limit on a toxic equivalency basis.

(6) Operating Limits [40 CFR §62.15960 and Table 4 to Subpart LLL of Part 62]
The following operating limits and requirements for SSIs must be met to maintain compliance. The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).

(a) Site-specific minimum operating temperature of the combustion chamber or afterburner temperature established through initial performance testing;

(i) The minimum combustion chamber operating temperature (or minimum afterburner temperature) is equal to the lowest 4-hour average combustion chamber operating temperature (or afterburner temperature) measured during the most recent performance test demonstrating compliance with all applicable emission limits. [§62.15985(e)]

(b) Site-specific minimum pressure drop across each scrubber, minimum flow rate of scrubber liquid, and minimum pH of scrubber liquid established through initial performance testing;

(i) Minimum pressure drop across each wet scrubber used to meet the particulate matter, lead and cadmium emission limits in Table 2 to this subpart is equal to the lowest 4-hour average pressure drop across each such wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium emission limits. [§62.15985(b)]

(ii) Minimum scrubber liquid flow rate (measured at the inlet to each wet scrubber) is equal to the lowest 4-hour average liquid flow rate measured during the most recent performance test demonstrating compliance with all applicable emission limits. [§62.15985(c)]

(iii) Minimum scrubber liquid pH for each wet scrubber used to meet the sulfur dioxide or hydrogen chloride emission limits in Table 2 to this subpart is equal to the lowest 1-hour average scrubber liquid pH measured during the most recent performance test demonstrating compliance with the sulfur dioxide and hydrogen chloride emission limits. [§62.15985(d)]

(c) Meet the operating limits in the site-specific fugitive emission monitoring plan as specified in §62.15995(d);

(i) You must submit a monitoring plan specifying the ash handling system operating procedures that you will follow to ensure that you meet the fugitive emissions limit specified in Table 2 to this subpart.

(d) Monitor the feed rate and moisture content of the sewage sludge fed to the SSI by implementing the following:

(i) Continuously monitor the sewage sludge feed rate and calculate a daily average for all hours of operation during each 24-hour period. Keep a record of the daily average feed rate, as specified in §62.16025(f)(3)(ii); and

(ii) Take at least one grab sample per day of the sewage sludge fed to the incinerator. Calculate a daily average for the grab samples if more than one grab sample is taken per day. Keep a record of the daily average moisture content, as specified in §62.l6025(f)(3)(ii).

(7) **Initial Compliance Requirements** [40 CFR §62.15980, §62.15985, §62.15990, §62.15995] Initial compliance with the emission limits and standards listed above in 2.1(G)(5) can be demonstrated in one of two ways.

(a) Conduct a performance test as required in 40 CFR §60.8. It must be demonstrated that the SSI unit meets the emission limits and standards specified in Table 2 of Federal Plan Subpart LLL for PM, HCl, CO, dioxins/furans (total mass basis or toxic equivalency basis), Hg, NOx SO2, Cd, Pb, and fugitive emissions from ash handling. The initial performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 and according to the testing, monitoring, and calibration requirements specified in §62.16015(a). A facility may use the results from a performance test conducted within the two previous years if it was conducted under the same conditions and demonstrated compliance with the emission limits and standards in Table 2, provided no process changes have been made since that performance test was conducted. OR

(b) Demonstrate initial compliance using a continuous emissions monitoring system or continuous automated sampling system as specified in §62.15980.

(c) To demonstrate initial compliance with the dioxins/furans toxic equivalency emission limit, use the following:

(i) Measure the concentration of each dioxin/furan tertra- through octachlorinated-isomer emitted using EPA Method 23 at 40 CFR part 60, appendix A-7.

(ii) Multiply the concentration of each dioxin/furan (tetra- through octachlorinated) isomer by its corresponding toxic equivalency factor specified in Table 5 of this subpart.

(iii) Sum the products to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(d) Submit an initial compliance report, as specified in §62.16030(b).

(8) Site-specific operating limits specified in 2.1(G)(6) must be established during your initial performance test as required in §62.15960.

(9) An initial air pollutant control device inspection must be conducted by the final compliance date. For air pollution control devices installed after the compliance date, an air pollution control device inspection must be conducted within 60 days after installation of the control device. All necessary repairs must be completed within 10 operating days following the air pollution control device inspection unless approval from the Administrator is given to establish a date whereby all necessary repairs of the SSI unit must be completed.

(10) A site-specific monitoring plan for continuous monitoring, bag leak detection, and ash handling systems must be developed in accordance to the requirements of §62.15995.

(11) **Continuous Compliance Requirements** [40 CFR §62.16000]
Continuous compliance with the emission limits and standards in Table 2 shall be demonstrated using either performance testing or the use of a continuous monitoring system.

(a) Annual performance testing must be conducted for each pollutant (between 11 and 13 calendar months following the previous performance test)

(b) A repeat performance test may be conducted at any time to establish new values for the operating limits to apply from that point forward.

(c) A performance test must be repeated within 60 days of a process change, as defined in §62.16045.

(d) Performance testing can be conducted less often for a given pollutant, as specified in §62.16000(a)(3).

(i) You can conduct performance tests less often if your performance tests for the pollutant for at least 2 consecutive years show that your emissions are at or below 75-percent of the emission limit specified in Table 2 to the subpart, and there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 37 months after the previous performance test.

(ii) If your SSI unit continues to meet the emission limit for the pollutant, you may choose to conduct performance tests for the pollutant every third year if your emissions are at or below 75-percent of the emission limit, and if there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions, but each such performance test must be conducted no more than 37 months after the previous performance test.

(iii) If a performance test shows emissions exceeded 75-percent of the emission limit for a pollutant, you must conduct annual performance tests for that pollutant until all performance tests over 2 consecutive years show compliance.

(e) Rules for demonstrating continuous compliance with a continuous monitoring system are specified in §62.16000(b).

(12) Continuous compliance with site-specific operating limits shall be achieved through continuously monitoring the operating parameters in accordance with §62.16005.

(a) You must continuously monitor the operating parameters specified in §62.16005(a)(1) and (2) using the continuous monitoring equipment and according to the procedures specified in §62.16020 or established in §62.15965. To determine compliance, you must use the data averaging period specified in Table 4 to this subpart unless a different averaging period is established under §62.15965.

(i) For site-specific minimum operating temperature of the combustion chamber, minimum pressure drop across each scrubber, minimum flow rate of scrubber liquid, and minimum pH of scrubber liquid, data must be recorded every 15 minutes. For all data recorded every 15 minutes, you must calculate hourly arithmetic averages. For all parameters, you use hourly averages to calculate the 12-hour or 3-hour block average specified in Table 4 to the subpart for demonstrating compliance (12-hour block averages for minimum operating temperature of the combustion chamber, minimum pressure drop across the scrubber, and minimum flow rate of scrubber liquid; 3-hour block averages for minimum pH of scrubber liquid). Records of 1-hour averages must be maintained.

(ii) Operation above the established maximum, below the established minimum, or outside the allowable range of the operating limits specified in §62.16005(a) constitutes a deviation from your operating limits established under this subpart, except during performance tests conducted to determine compliance with the emission and operating limits or to establish new operating limits. You must submit the deviation report specified in §62.16030(d) for each instance that you did not meet one of your operating limits established under this subpart.

(iii) You must submit the annual compliance report specified in §62.16030(c) to demonstrate continuous compliance.

(iv) You must confirm your operating limits according to §62.16005(d)(1) or re-establish operating limits according to §62.16005(d)(2) of this section. Your operating limits must be established so as to assure ongoing compliance with the emission limits.

(A) Your operating limits must be based on operating data recorded during any performance test required in §62.16000(a) or any performance evaluation required in §62.16000(b)(4). [§62.16005(d)(1)]

(B) You may conduct a repeat performance test at any time to establish new values for the operating limits to apply from that point forward. [§62.16005(d)(2)]

(b) You must monitor the operating parameters according to the procedures specified in accordance with §62.15965. To determine compliance, you must use the data averaging period specified in Table 4 to this subpart unless a different averaging period is established under §62.15965. MSD submitted a site specific monitoring plan for compliance with the mercury emissions limit to EPA dated March 23, 2016. Facilities that use other technologies besides carbon injection are required to request approval for the operating parameters that they will use to monitor compliance for their mercury controls. MSD is utilizing a sorbent polymer composite (SPC) system which consists of fluoro-polymer composite filters arranged in modules inside the scrubber, which adsorb mercury from the gas stream. The full scale SPC system has four layers containing four modules each (total of 16 modules) with space for a fifth layer and test ports between each layer. MSD has proposed to conduct carbon trap sampling and analysis at three month intervals to track and confirm the effectiveness of the SPC system that they are using to comply with the standard. The SPC modules are expected to last approximately 18 months before having to be replaced. The sampling will be used to determine when the modules require replacement. MSD proposes to use the actual mercury concentrations at the inlet and the outlet of the bottom most and top most SPC modules to measure the mercury removed by the system. As of the date of this permit issuance, the plan has not been approved by EPA.

(i) MSD will take carbon trap samples at the inlet to the SPC unit (Port A) and at the outlet of the first two layers of modules (Ports B and C), every three months, utilizing a carbon trap sampling system manufactured by Apex Instruments. The carbon traps will be analyzed by a third-party analytical laboratory in accordance with Method 30B (a method referenced in Subpart LLL as an acceptable alternative for Method 29 for mercury).

(ii) When the removal efficiency across the first layer drops to approximately 3% to 20%, then one of the following two actions will happen: the first layer of modules will be removed and disposed of, each layer of modules will be moved upstream one position, and a new layer will be installed at the downstream location, or the first layer of modules will be removed and relocated to the downstream position (with the other layers all moved one position upstream).

(iii) The Apex Instrument will be calibrated in accordance with the Apex operations and maintenance manual. MSD will utilize a testing laboratory that is certified by the National Environmental Laboratory Accreditation Program (NELAP).

(13) An annual air pollution control device inspection shall be conducted no later than 12 months following the previous annual air pollution control device inspection. All necessary repairs must be completed within 10 operating days following the air pollution control device inspection unless approval from the Administrator is given to establish a date whereby all necessary repairs of the

SSI unit must be completed.

(14) The performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards are specified in 40 CFR §62.16015 and 40 CFR §62.16020.

(a) Meet the following general requirements for flow, pressure, pH and operating temperature measurement devices:

(i) You must collect data using the continuous monitoring system at all times the affected SSI unit is operating and at the intervals specified in §62.16020(a)(1)(ii), except for periods of monitoring system malfunctions that occur during periods specified defined in §62.15995(a)(7)(i), repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). Any such periods that you do not collect data using the continuous monitoring system constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(ii) You must collect continuous parameter monitoring system data in accordance with 40 CFR §60.13(e)(2).

(iii) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities must not be included in calculations used to report emissions or operating levels. Any such periods must be reported in your annual deviation report.

(iv) Any data collected during periods when the monitoring system is out of control as specified in §62.15995(a)(7)(i) must not be included in calculations used to report emissions or operating levels. Any such periods that do not coincide with a monitoring system malfunction, as defined in §62.16045, constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(v) You must use all the data collected during all periods except those periods specified in §62.16020(a)(1)(iii) and (iv) in assessing the operation of the control device and associated control system.

(vi) Record the results of each inspection, calibration and validation check.

(15) <u>Recordkeeping and Reporting</u> [40 CFR §62.16025, §62.16030]
The following records shall be maintained onsite for a period of at least 5 years.

(a) Calendar date of each record;

(b) Final control plan and associated notifications;

(c) Operator training - documentation of training procedures and information, records showing names of SSI unit operators and other plant personnel who have completed training, and records showing periods when no qualified operators were accessible in accordance with §62.16025(c)(3) and (c)(4);

(i) Records showing the periods when no qualified operators were accessible for more than 8 hours, but less than 2 weeks, as required in §62.15945(a).

(ii) Records showing the periods when no qualified operators were accessible for 2 weeks or more along with copies of reports submitted as required in §62.15945(b).

(d) Air pollution control device initial and annual inspections;

(e) Performance test reports including the initial, annual, and any subsequent test reports, including calculations. Maintain a record of the hourly dry sludge feed rate measured during performance test runs;

(f) Continuous monitoring data as specified in §62.16025(f);

(i) For continuous emissions monitoring systems and automated sampling systems, all data as specified in§62.16025(f)(1) and §62.16025(f)(2).

(ii) For continuous parameter monitoring systems:

(A) All 1-hour average values recorded for the following operating parameters:

- Combustion chamber operating temperature (or afterburner temperature).

- If a wet scrubber is used to comply with the rule, pressure drop across each wet scrubber system and liquid flow rate to each wet scrubber used to comply with the emission limit in Table 2 or 3 to this subpart for particulate matter, cadmium or lead and scrubber liquid flow rate and scrubber liquid pH for each wet scrubber used to comply with an emission limit in Table 2 or 3 to this subpart for sulfur dioxide or hydrogen chloride.

(B) All daily average values recorded for the feed rate and moisture content of the sewage sludge fed to the sewage sludge incinerator, monitored and calculated as specified in §62.15960(f).

(C) For other control devices for which you must establish operating limits under §62.15965, you must maintain data collected for all operating parameters used to determine compliance with the operating limits, at the frequencies specified in your monitoring plan. MSD submitted a site specific monitoring plan for compliance with the mercury emissions limit to EPA dated March 23, 2016. Facilities that use other technologies besides carbon injection are required to request approval for the operating parameters that they will use to monitor compliance for their mercury controls. As discussed above, MSD is utilizing a sorbent polymer composite (SPC) system which consists of fluoro-polymer composite filters arranged in modules inside the scrubber, which adsorb mercury from the gas stream. The full scale SPC system has four layers containing four modules each (total of 16 modules) with space for a fifth layer and test ports between each layer. MSD has proposed to conduct carbon trap sampling and analysis at three month intervals to track and confirm the effectiveness of the SPC system that they are using to comply with the standard. The SPC modules are expected to last approximately 18 months before having to be replaced. The sampling will be used to determine when the modules require replacement. MSD proposes to use the actual mercury concentrations at the inlet and the outlet of the bottom most and top most SPC modules to measure the mercury removed by the system. As of the date of this permit issuance, the plan has not been approved by EPA. Recordkeeping requirements consistent with the site specific monitoring plan are as follows.

- For carbon trap sampling of the first layer of filter modules, maintain quarterly records of removal efficiencies, dates for removal and replacement of filter modules if applicable, and lab testing results.

- Maintain records documenting that the Apex Instrument is calibrated in accordance with the Apex operations and maintenance manual. Maintain records to document that the testing laboratory is certified by the National Environmental Laboratory Accreditation Program (NELAP).

(g) Deviation reports;

(h) Equipment specifications and operations and maintenance requirements;

(i) Inspections, calibrations and validation checks of monitoring devices;

(j) Monitoring plan and performance evaluations for continuous monitoring systems;

(k) Less frequent testing;

(i) If, consistent with §62.16000(a)(3), you elect to conduct performance tests less frequently than annually, you must keep annual records that document that your emissions in the two previous consecutive years were at or below 75-percent of the applicable emission limit in Table 1 or 2 to this subpart, and document that there were no changes in source operations or air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past 2 years.

(l) Use of bypass stack; and

(m) Records of malfunctions.

(16) **Reporting Requirements**. [Table 6 of 40 CFR 62 Subpart LLL]
The following reporting requirements shall be submitted to the Administrator. Table 6 of 40 CFR 62 Subpart LLL provides a summary of reporting requirements as well.

(a) Final control plan and final compliance report no later than 10 business days after the compliance date;

(b) Initial compliance report no later than 60 days following the initial performance test;

(c) Annual compliance report no later than 12 months following the submission of the initial compliance report. Subsequent annual compliance reports must be submitted no more than 12 months following the previous annual compliance report (first compliance report was postmarked on March 24, 2017);

(d) Deviations reports as specified in §62.16030(d);

(i) You must submit a deviation report if:

(A) Any recorded operating parameter level, based on the averaging time specified in Table 4 to this subpart, is above the maximum operating limit or below the minimum operating limit established under this subpart.

(B) The bag leak detection system alarm sounds for more than 5-percent of the operating time for the 6-month reporting period.

(C) Any recorded 24-hour block average emissions level is above the emission limit, if a continuous monitoring system is used to comply with an emission limit.

(D) There are visible emissions of combustion ash from an ash conveying system for more than 5-percent of any compliance test hourly observation period.

(E) A performance test was conducted that deviated from any emission limit in Table 2 or 3 to this subpart.

(F) A continuous monitoring system was out of control.

(G) You had a malfunction (*e.g.*, continuous monitoring system malfunction) that caused or may have caused any applicable emission limit to be exceeded.

(ii) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

(iii) For each deviation where you are using a continuous monitoring system to comply with an associated emission limit or operating limit, report the items described in §62.16030(d)(3)(i) through (viii) of this section.

(e) Qualified operation deviation reports as specified in §62.16030(e);

(f) Notification of force majeure;

(g) Other notifications:

(i) Notify the Administrator 1 month before starting or stopping use of a continuous monitoring system for determining compliance with any emission limit.

(ii) Notify the Administrator 30 days prior to any performance test, to afford the Administrator the opportunity to have an observer present.

(iii) Notify the Administrator at least 7 days prior to the date of a reschedule performance test for which notification was previously made.

2.2 - Emission Source ID EG-1, EG-2, EG-3

The following table provides a summary of limits and standards for the emission sources referenced above:

Regulated Pollutant	Limits / Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input (ID Nos. EG-1, EG-2, EG-3)	WNCRAQA Code 4.0516
Visible emissions	20 percent opacity (ID Nos. EG-1, EG-2, EG-3)	WNCRAQA Code 4.0521
NMHC + NOx, HC, NOx, CO, PM	Meets the requirements of NSPS, Subpart IIII, 40 CFR 63.6590(c) to meet the requirements of MACT Subpart ZZZZ (ID Nos. EG-2 and EG-3 only)	WNCRAQA Code 4.0524 40 CFR Part 60, Subpart IIII

Regulated Pollutant	Limits / Standards	Applicable Regulation
Hazardous air pollutants	Purchase engine certified to meet the applicable engine emissions limits (ID Nos. EG-2, EG-3 only)	WNCRAQA Code 4.1111 40 CFR Part 63, Subpart ZZZZ
Toxic air pollutants	Local-enforceable only **See Section 2.5(A)**	WNCRAQA Code 4.1100

(A) **WNCRAQA CODE 4.0516 - SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES**

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0516 & 17.0508(b)]
Emissions of sulfur dioxide from these sources (ES-1, ES-2, ES-3) shall not exceed 2.3 pounds per million BTU heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

(2) **Testing** [WNCRAQA Code 4.2611]
If emissions testing is required, the testing shall be performed in accordance with WNCRAQA Code 4.2611 and General Condition JJ. If the results of this test are above the limit given in Section 2.2(A)(1) above, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0516.

(3) **Monitoring/Recordkeeping/Reporting** [WNCRAQA Code 17.0508(f)]
No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the burning of No. 2 fuel oil in these emergency generators.

(B) **WNCRAQA CODE 4.0521 - CONTROL OF VISIBLE EMISSIONS**

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0521(d) & 17.0508(b)]
Visible emissions from these emergency generators (EG-1, EG-2, EG-3) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

(2) **Testing** [WNCRAQA Code 4.2610]
No testing is required at this time; however, WNCRAQA reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with WNCRAQA Code 4.2610 and General Condition JJ. If the results of this test are above the limit given in Section 2.2(B)(1) above, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0521.

(3) **Monitoring/Recordkeeping/Reporting** [WNCRAQA Code 4.0605(b) & 17.0508(f)]
No monitoring/recordkeeping/reporting is required for visible emissions from the firing of diesel fuel in these emergency generators.

(C) **WNCRAQA CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS**

(1) **Applicability** [WNCRAQA Code 17.0508(f), 40 CFR 60.4200(a)(2)(i)]
For these engines (ES-2 and ES-3), the Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in WNCRAQA Code 4 .0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines," including Subpart A "General Provisions."

(2) General Provisions [WNCRAQA Code 17.0508(f)]
Pursuant to 40 CFR 60 .4218, The Permittee shall comply with the General Provisions of 40 CFR 60 Subpart A as presented in Table 8 of 40 CFR 60 Subpart IIII.

(3) Emission Standards [WNCRAQA Code 17.0508(f)]
The Permittee shall comply with the emission standards 40 CFR 60.4202 for all pollutants, for the same model year and maximum engine power for these engines (ES-2 and ES-3). [40CFR 60.4205(a)(2), §60.4205(b) and §89.112]

(a) NMHC and NOx (combined): 6.4 g/kW-hr

(b) CO: 3.5 g/kW-hr

(c) PM: 0.20 g/kW-hr

(4) Fuel Requirements [WNCRAQA Code 17.0508(f)]
The Permittee shall use diesel fuel in the engines (ES-2 and ES-3) that meets the requirements of 40 CFR 80.510(b) including:

(a) a maximum sulfur content of 15 ppm; and

(b) a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.

[40 CFR 60.4207(b)]

(5) Testing [WNCRAQA Code 17.0508(f)]
If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limits given in conditions 2.2(C)(3) and 2.2(C)(4) above, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0524.

(6) Monitoring [WNCRAQA Code 17.0508(f) and 40 CFR 60.4209(a) and (b)]
The engines (ES-2 and ES-3) has the following monitoring requirements:

(a) The engines shall be equipped with a non-resettable hour meter prior to startup. [40 CFR 60.4209(a)]

(b) The engine, if equipped with a diesel particulate filter, must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached. [40 CFR 60.4209(b)]

(7) Compliance Requirements [WNCRAQA Code 17.0508(f) and 40 CFR 60.4206 and 60.4211(a)]
The Permittee shall:

(a) operate and maintain the engines and control devices according to the manufacturer's emission related written instructions over the entire life of the engine;

(b) change only those emission-related settings that are permitted by the manufacturer; and

(c) meet the requirements of 40 CFR 89, 94 and/or 1068 as applicable.

(8) Compliance Requirements [WNCRAQA Code 17.0508(f) and 60.4211(f)]
In order for the engines (ES-2 and ES-3) to be considered emergency stationary ICE under this condition, any operation other than emergency operation, maintenance and testing, and operation in non- emergency situations for 50 hours per year, as described below, is prohibited.

(a) There is no time limit on the use of emergency stationary ICE in emergency situations.

(b) The Permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraph (8)(b)(i) of this condition for a maximum of 100 hours per calendar year. Any operation for nonemergency situations as allowed by paragraph (8)(c) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (8)(b).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(c) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (8)(b) of this condition. Except as provided in paragraph (8)(c)(i) of this condition, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

The Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0524 if the requirements in conditions 2.1(C)(6), 2.1(c)(7) and 2.1(C)(8) are not met.

(9) **Recordkeeping** [WNCRAQA Code 17.0508(f) & 40 CFR 60.4206 and 40 CFR 60.4211(a)]
To assure compliance, the Permittee shall perform inspections and maintenance on the engine (ES-2 and ES-3) as recommended by the manufacturer per 40 CFR 60.4206 and 40 CFR 60.4211(a). The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:

(a) the date and time of each recorded action;

(b) the results of each inspection;

(c) the results of any maintenance performed on the engine;

(d) any variance from manufacturer's recommendations, if any, and corrections made;

(e) if a PM filter is used, records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached [40 CFR 60.4214(c)]; and

(f) documentation from the manufacturer that the engine is certified to meet the emission standards in condition 2.1(C)(3).

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if these records are not maintained.

(10) Reporting [WNCRAQA Code 17.0508(f) & 40 CFR 60.4214]

(a) The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before February 15 of each calendar year for the preceding six-month period between July and December and August 15 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.

(b) If the Permittee owns or operates an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purposes specified in condition (8)(c)(i), the Permittee shall submit an annual report according to the requirements at 40 CFR 60.4214(d). This report must be submitted to the WNCRAQA and the EPA. [40 CFR 60.4214(d)]

(D) WNCRAQA CODE 4.1111 - MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY [40 CFR 63 SUBPART ZZZZ]

(1) Emission Limitation/Standard [WNCRAQA Code 4.1111 and 40 CFR 63 Subpart ZZZZ]
The Permittee shall comply with all applicable provisions, including the requirements for emission limitations, testing, monitoring, record keeping, notification, and reporting, contained in WNCRAQA Code 4.1111 "Maximum Achievable Control Technology" as promulgated in 40 CFR Part 63 Subpart ZZZZ "National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)" including Subpart A "General Provisions."

(2) Emission Limitation/Standard [WNCRAQA Code 4.1111 and 40 CFR 63 Subpart ZZZZ]
The Permittee shall meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting all applicable requirements of 40 CFR 60 Subpart IIII (See Section 2.2(C) above) for the diesel fuel-fired emergency generators (ES-2 and ES-3 only). No further requirements apply for these engines (ES-2 and ES-3 only) under 40 CFR 63 Subpart ZZZZ and Subpart A.

If the requirements in condition (2) are not met, the Permittee shall be deemed in noncompliance with WNCRAQA Code 4.1111.
[40 CFR §63.6590(c)]

(3) Operational Limitations [WNCRAQA Code 4.0605(b), 17.0317(b), & 17.0508(f)]
EG-1 shall be in compliance with the following operating requirements and limitations:

(a) Change oil and filter every 500 hours or annually, whichever comes first. [40 CFR 63.6603]

(b) Inspect air cleaner every 1,000 hours or annually, whichever comes first. [40 CFR 63.6603]

(c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63.6603]

(d) Operate and maintain the RICE and control device (if any) according to the manufacturer's emission related written instructions or maintenance plan developed by the Permittee. [40 CFR 63.6625(e)]

(e) Install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]

(f) Minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitation apply. [40 CFR Part 63.6625(h)]

(g) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (g)(i) through (g)(iii) of this condition. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (g)(i) through (g)(iii) below, is prohibited. If you do not operate the engine according to the requirements in paragraphs (g)(i) through (g)(iii) below, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE for any combination of the purposes specified in (g)(ii)(A) through (g)(ii)(C) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by (g)(iii) of this condition counts as part of the 100 hours per calendar year allowed by (g)(ii).

(A) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(B) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(C) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(iii) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for

maintenance and testing and emergency demand response provided in paragraph (g)(ii) of this condition. Except as provided in paragraphs (g)(iii)(A) below, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(A) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

- The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

- The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

- The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

- The power is provided only to the facility itself or to support the local transmission and distribution system.

- The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(h) Exceptions: If the emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the above schedule, or if performing the work practice on the above schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Any failure to perform the work practice on the schedule required must be reported along with the Federal, State or local law under which the risk was deemed unacceptable. As an option, an oil analysis program as described in 40 CFR 63.6625(i) may be utilized in order to extend the specified oil change requirement. The EPA Administrator may be petitioned pursuant to the requirements of 40 CFR 63.6(g) to implement alternative work practices.

(i) Oil Analysis Program Requirements. If an oil analysis program is used to extend the specified oil change requirement above in Condition 2.2(D)(3)(a), the oil analysis must be performed at the same frequency specified for changing the oil in Condition 2.2(D)(3)(a). The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2

business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(4) **Recordkeeping** [WNCRAQA Code 4.0605(b) and 40 CFR 63.6655]
The following records must be maintained:

(a) Oil and filter change dates and corresponding hour on the hour meter, including data associated with the oil analysis program, if applicable;

(b) Inspection and replacement dates for air cleaners, hoses, and belts;

(c) Records of other emission-related repairs and maintenance performed; and

(d) The hours of operation of the engine that is recorded through the nonresettable hour meter. The Permittee must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response [40 CFR 63.6655(f)].

Each record must be kept readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [40 CFR 63.6660(c)]

(5) **Reporting** [WNCRAQA Code 17.0508]
The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before February 15 of each calendar year for the preceding six-month period between July and December and August 15 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.

2.3 - Emission Source ID SS

The following table provides a summary of limits and standards for the emission sources referenced above:

Regulated Pollutant	Limits / Standards	Applicable Regulation
Particulate matter	$E = 4.10(P)^{0.67}$, where E = allowable emission rate in pounds per hour and P = process weight rate in tons per hour	WNCRAQA Code 4.0515
Visible emissions	20 percent opacity	WNCRAQA Code 4.0521

(A) WNCRAQA CODE 4.0515 - PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0515 & 17.0508(b)]
Emissions of particulate matter from this source (SS) shall not exceed an allowable emission rate as calculated by the following equation:

$E = 4.10(P)^{0.67}$ Where E = allowable emission rate in pounds per hour
P = process weight in tons per hour.

(2) **Testing** [WNCRAQA Code 4.2609]
No testing is required at this time; however, the WNCRAQA reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with the WNCRAQA Code 4.2609 and General Condition JJ. If the results of this test are above the limit given in Section 2.3(A)(1) above, the Permittee shall be deemed in noncompliance with the WNCRAQA Code 4.0515.

(3) **Monitoring/Recordkeeping** [WNCRAQA Code 17.0508(f)]
(a) Particulate matter emissions from this source (SS) shall be controlled by the dust collector (CD4). To ensure that optimum control efficiency is maintained, the Permittee shall perform inspections and maintenance as recommended by the manufacturer. In addition to the manufacturer's inspection and maintenance recommendations, or if there are no manufacturer's inspection and maintenance recommendations, as a minimum, the inspection and maintenance requirement must include the following:

(i) A monthly visual inspection of the system ductwork, and material collection unit for leaks; and

(ii) An annual internal inspection of the dust collectors' structural integrity.

The Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0515 if the ductwork and dust collectors are not inspected and maintained.

(b) The results of inspection and maintenance shall be maintained in a log book (written or electronic form) on site and made available to an authorized representative upon request. The log book shall record the following:

(i) The date and time of actions recorded;

(ii) The results of each inspection;

(iii) The results of any maintenance performed on the dust collectors; and

(iv) Any variance from manufacturer's recommendations, and corrections made.

The Permittee shall be deemed in noncompliance with WNCRAQA Code 4.0515 if these records are not maintained.

(4) **Reporting** [WNCRAQA Code 17.0508(f)
(a) The Permittee shall submit the results of any maintenance performed on the dust collector within 30 days of a written request by the WNCRAQA.

(b) The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before February 15 of each calendar year for the preceding six-month period between July and December and August 15 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

(B) WNCRAQA CODE 4.0521 - CONTROL OF VISIBLE EMISSIONS

(1) **Emission Limitation/Standard** [WNCRAQA Code 4.0521 & 17.0508(b)]
Visible emissions from these sources (SS) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

(2) Testing [WNCRAQA Code 4.2610]
No testing is required at this time; however, the WNCRAQA reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with the WNCRAQA Code 4.2610 and General Condition JJ. If the results of this test are above the limit given in Section 2.3(B)(1) above, the Permittee shall be deemed in noncompliance with the WNCRAQA Code 4.0521.

(3) Monitoring/Recordkeeping/Reporting [WNCRAQA Code 17.0508(f)]
No monitoring/recordkeeping/reporting is required for visible emissions from these sources (SS).

2.5 – Facility Wide: TC-1, EG-1, EG-2, EG-3

The following table provides a summary of limits and standards for the emission sources referenced above:

Regulated Pollutant	Limits / Standards	Applicable Regulation
Toxic air pollutants	**Local-enforceable only** Ambient concentrations of TAPs shall not exceed corresponding acceptable ambient levels (AALs) in Chapter 4.1100 of the WNCRAQA Code.	WNCRAQA Code 17.0700

(A) WNCRAQA CODE 17.0700 - TOXIC AIR POLLUTANT PROCEDURES (LOCAL-ENFORCEABLE ONLY)
As part of the permit review for the 2009 renewal, a modification to replace the two engine generators in 2012, and in accordance with Chapter 4.1204, the Metropolitan Sewerage District of Buncombe County has been reviewed for toxic air pollutant emissions under the WNCRAQA Code 17.0700 – "Toxic Air Pollutant Procedures" and been found to emit the following substances:

Reviewed Toxic Air Pollutant (TAP)	CAS No.	Toxic Permitting Emission Rate (TPER)	Compliance Demonstration Method	
			Actual Emission Rate Below TPER?	Air Dispersion Modeling Conducted?
Acetaldehyde	75-07-0	6.8 lb/hr	Yes	No
Acrolein	107-02-8	0.02 lb/hr	Yes	No
Arsenic (ASC)	7440-38-2	0.053 lbs/yr	No	Yes
Benzene	71-43-2	8.10 lbs/yr	Yes	No
Beryllium	7440-41-7	0.28 lbs/yr	Yes	No
Cadmium	7440-43-9	0.37 lbs/yr	Yes	No
Carbon Tetrachloride	56-23-5	460 lbs/yr	Yes	No
Chlorobenzene	108-90-7	46 lbs/day	Yes	No
Chloroform	67-66-3	290 lbs/yr	Yes	No
p-Dichlorobenzene	106-46-7	16.8 lbs/hr	Yes	No
Di(2-ethylhexyl) phthalate	117-81-7	0.63 lbs/day	No	Yes
Formaldehyde	50-00-0	0.04 lb/hr	Yes	No
Hexachlorodibenzo-p-dioxins	57653-85-7	0.0051 lbs/yr	Yes	No

Hydrogen chloride	7647-01-0	0.18 lbs/hr	Yes	No
Manganese and compounds	NA	0.63 lbs/day	Yes	No
Mercury (HGG)	7439-97-6	0.013 lbs/day	No	Yes
Methyl Chloroform	71-55-6	250 lbs/day & 54 lbs/hr	Yes	No
Methylene Chloride	75-09-2	1,600 lbs/yr & 0.39 lbs/hr	Yes	No
Nickel	7440-02-0	0.13 lbs/day	Yes	No
Soluble Chromate Compounds, as chromium (VI) equivalent	NA	0.013 lbs/day	Yes	No
Perchloroethylene	127-18-4	13,000 lbs/yr	Yes	No
Benzo(a)pyrene (POM, PAH)	50-32-8	2.2 lb/yr	Yes	No
Sulfuric Acid	7664-93-9	0.25 lbs/day & 0.025 lbs/hr	No	Yes
2,3,7,8-Tetrachlorodibenzo-p-dioxin	1746-01-6	0.00020 lb/yr	Yes	No
Trichloroethylene	79-01-6	4,000 lbs/yr	Yes	No
Toluene	108-88-3	98 lbs/day & 14.4 lbs/hr	Yes	No
Xylene	1330-20-7	57 lbs/day & 16.4 lbs/hr	Yes	No

Regarding the modification to replace the two emergency engines in 2012, In accordance with Session Law 2012-91, House Bill 952, the Permittee may exclude sources subject to requirements issued under 40 CFR Part 63 from compliance demonstrations with the NC Air Toxics regulations. The permitting authority must review all permit applications where increases to TAPs are proposed and determine whether the increase in emissions would result in an unacceptable risk to human health. If an unacceptable risk is determined and documented, the permitting authority must require the Permittee to submit an application to address the risk. MSD's request to replace the two existing natural gas and landfill gas fired engines (GEN-1 and GEN-2) with two diesel fired emergency engines (EG-2 and EG-3) triggered a toxics review since some TAP emissions associated with diesel fuel combustion are higher than those associated with natural gas combustion, resulting in a net increase in emissions of some TAPs. The two new proposed engines are subject to 40 CFR 63 Subpart ZZZZ – "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines" (4Z). The agency conducted a review to determine whether the addition of the proposed equipment would result in an unacceptable risk to human health. No unacceptable risk to human health was identified.

For reference, the air dispersion modeling parameters are shown below The most recent compliance evaluation was based on maximum potential emissions from the sludge converter (TC-1), maximum allowable emissions from the emergency engines (EG-1, EG-2, EG-3), which are 100 hours per year each outside of actual emergencies, and four 15 ton batches of Nutri-Lime per day, 365 days. No operating restrictions are required to prevent an exceedance of the AALs.

Source	Sludge Converter	EG1-3 Combined Representative Stack
Source Height (m)	28.96	3.96

Stack Diameter (m)	0.91	0.25
Exit Velocity (m/s)	5.08	75.13
Temperature (°K)	293	750
Minimum Distance to Property Line (m)	315	18
Arsenic Emission Rate (lb/hr)	0.0000294	0.00000180
Di(2-ethylhexyl) phthalate Emission Rate (lb/hr)	0.0602	NA
Mercury Emission Rate (lb/hr)	0.0015	0.000118
Sulfuric Acid Emission Rate (lb/hr)	0.13	NA

SECTION 3 - GENERAL CONDITIONS AND LIMITATIONS

This section describes terms and conditions applicable to this Title V facility.

(A) **General Provisions** [NCGS 143-215 and WNCRAQA Code 17.0508(i)(16)]

(1) Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in WNCRAQA Code Chapters 4 and 17.

(2) The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by WNCRAQA.

(3) This permit is not a waiver of or approval of any other permits that may be required for other aspects of the facility which are not addressed in this permit.

(4) This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of local laws or rules, unless specifically authorized by an order from WNCRAQA.

(5) Except as identified as local-only requirements in this permit, all terms and conditions contained herein shall be enforceable by WNCRAQA, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.

(6) Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by WNCRAQA, unless the source is exempted by rule. WNCRAQA may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

(B) **Permit Availability** [WNCRAQA Code 17.0507(k) and 17.0508 (i)(9)(B)]
The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of WNCRAQA upon request.

(C) **Severability Clause** [WNCRAQA Code 17.0508(i)(2)]
In the event of an administrative challenge to a final and binding permit in which a condition is held to

be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

(D) **Submissions** [WNCRAQA Code 17.0507(e) and 17.0508(i)(16)]
Except as otherwise specified herein, one copy of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to WNCRAQA.

(E) **Duty to Comply** [WNCRAQA Code 17.0508(i)(3)]
The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as local-only requirements constitutes a violation of the Federal Clean Air Act. 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.

(F) **Circumvention** - LOCAL ENFORCEABLE ONLY
The facility shall be properly operated and maintained at all times in a manner that will effect 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 pollution control device(s) and appurtenances.

(G) **Permit Modifications**

(1) Administrative Permit Amendments [WNCRAQA Code 17.0514]
The Permittee shall submit an application for an administrative permit amendment in accordance with WNCRAQA Code 17.0514.

(2) Transfer of Ownership or Operation [WNCRAQA Code 17.0524 and 17.0505]
The Permittee shall submit an application for an ownership change in accordance with WNCRAQA Code 17.0524 and 17.0505.

(3) Minor Permit Modifications [WNCRAQA Code 17.0515]
The Permittee shall submit an application for a minor permit modification in accordance with WNCRAQA Code 17.0515.

(4) Significant Permit Modifications [WNCRAQA Code 17.0516]
The Permittee shall submit an application for a significant permit modification in accordance with WNCRAQA Code 17.0516.

(5) Reopening for Cause [WNCRAQA Code 17.0517]
The Permittee shall submit an application for reopening for cause in accordance with WNCRAQA Code 17.0517.

(H) **Changes Not Requiring Permit Modifications**

(1) Reporting Requirements
Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the WNCRAQA:

(a) Changes in the information submitted in the application;

(b) Changes that modify equipment or processes; or

(c) Changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the WNCRAQA 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.

(2) Section 502(b)(10) Changes [WNCRAQA Code 17.0523(a)]

(a) "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

(b) The Permittee may make Section 502(b)(10) changes without having the permit revised if:

(i) The changes are not a modification under Title I of the Federal Clean Air Act;

(ii) The changes do not cause the allowable emissions under the permit to be exceeded;

(iii) The Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and

(iv) The Permittee shall attach the notice to the relevant permit.

(c) The written notification shall include:

(i) A description of the change;

(ii) The date on which the change will occur;

(iii) Any change in emissions; and

(iv) Any permit term or condition that is no longer applicable as a result of the change.

(d) Section 502(b)(10) changes shall be made in the permit the next time the permit is revised or renewed, whichever comes first.

(3) Off Permit Changes [WNCRAQA Code 17.0523(b)]
The Permittee may make changes in the operation or emissions without revising the permit if:

(a) The change affects only insignificant activities and the activities remain insignificant after the change; or

(b) The change is not covered under any applicable requirement.

(4) Emissions Trading [WNCRAQA Code 17.0523(c)]
To the extent that emissions trading is allowed under WNCRAQA Code Chapter 4, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to WNCRAQA Code 17.0523(c).

(I.A) **Reporting Requirements for Excess Emissions and Permit Deviations** [WNCRAQA Code 4.0535(f) and 17.0508(f)(2)]

"Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Chapter 4; or by a permit condition; or that exceeds an emission limit established in a permit issued under WNCRAQA Code 17.0700. *(Note: Definitions of excess emissions under 4.1110 and 4.1111 shall apply where defined by rule.)*

"Deviations" - for the purpose of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions, as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

(1) If a source is required to report excess emissions under NSPS (WNCRAQA Code 4.0524), NESHAPs (WNCRAQA Code 4.1110 or 4.1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.

(2) If the source is not subject to NSPS (WNCRAQA Code 4.0524), NESHAPs (WNCRAQA Code 4.1110 or 4.1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with WNCRAQA Code 4.0535 as follows:

(a) Pursuant to WNCRAQA Code 4.0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:

(i) Notify the Director of any such occurrence by 9:00 a.m. Eastern Time of the Agency's next business day of becoming aware of the occurrence and provide:

- Name and location of the facility;
- Nature and cause of the malfunction or breakdown;
- Time when the malfunction or breakdown is first observed;
- Expected duration; and
- Estimated rate of emissions;

(ii) Notify the Director immediately when corrective measures have been accomplished; and

(iii) Submit to the Director within 15 days a written report as described in WNCRAQA Code 4.0535(f)(3);

Permit Deviations

(3) Pursuant to WNCRAQA Code 17.0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:

(a) Notify the Director of all other deviations from permit requirements not covered under WNCRAQA Code 4.0535 quarterly. A written report to the Director shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

(I.B) **Other Requirements under WNCRAQA Code 4.0535**

The Permittee shall comply with all other applicable requirements contained in WNCRAQA Code 4.0535, including 4.0535(c), as follows:

(1) Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in WNCRAQA Code 4.0535(c)(1) through (7).

(2) WNCRAQA Code 4.0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

(J) **Emergency Provisions** [40 CFR 70.6(g)]
The Permittee shall be subject to the following provisions with respect to emergencies:

(1) An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

(2) An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in (3) below are met.

(3) The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:

(a) An emergency occurred and the Permittee can identify the cause(s) of the emergency;

(b) The permitted facility was at the time being properly operated;

(c) During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and

(d) The Permittee submitted notice of the emergency to WNCRAQA within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.

(4) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(5) This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

(K) **Permit Renewal** [WNCRAQA Code 17.0508(e) and 17.0513(b)]
This permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete renewal application is submitted at least nine months before the date of permit expiration. If the Permittee or applicant has complied with WNCRAQA Code 17.0512(b)(1), this WNCRAQA Code 17.0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under WNCRAQA Code 17.0400 terminates the facility's right to operate unless a complete WNCRAQA Code 17.0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to WNCRAQA Code 17.0400 requirements. In either of these events, all terms and conditions of this permit shall remain in effect until the renewal permit has been issued or denied.

(L) **Need to Halt or Reduce Activity Not a Defense** [WNCRAQA Code 17.0508(i)(4)]
It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(M) **Duty to Provide Information (submittal of information)** [WNCRAQA Code 17.0508(i)(9)]

(1) The Permittee shall furnish to WNCRAQA, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.

(2) The Permittee shall furnish WNCRAQA copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

(N) **Duty to Supplement** [WNCRAQA Code 17.0507(f)]
The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to WNCRAQA. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

(O) **Retention of Records** [WNCRAQA Code 17.0508(f) and 17.0508(l)]
The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to an authorized WNCRAQA representative for inspection upon request.

(P) **Compliance Certification** [WNCRAQA Code 17.0508(n)]
The Permittee shall submit to WNCRAQA and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street, Atlanta, GA 30303) postmarked on or before **January 30** a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

(1) The identification of each term or condition of the permit that is the basis of the certification;

(2) The compliance status (with the terms and conditions of the permit for the period covered by the certification);

(3) Whether compliance was continuous or intermittent; and

(4) The method(s) used for determining the compliance status of the source during the certification period.

(Q) **Certification by Responsible Official** [WNCRAQA Code 17.0520]
A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(R) **Permit Shield for Applicable Requirements** [WNCRAQA Code 17.0512]

(1) Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.

(2) A permit shield shall not alter or affect:

(a) The power of the Director under WNCRAQA Code 1.0102(a)(12), or EPA under Section 303 of the Federal Clean Air Act;

(b) The liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;

(c) The applicable requirements under Title IV; or

(d) The ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.

(3) A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under WNCRAQA Code 17.0523.

(4) A permit shield does not extend to minor permit modifications made under WNCRAQA Code 17.0515.

(S) **Termination, Modification, and Revocation of the Permit** [WNCRAQA Code 17.0519]
The Director may terminate, modify, or revoke and reissue this permit if:

(1) The information contained in the application or presented in support thereof is determined to be incorrect;

(2) The conditions under which the permit or permit renewal was granted have changed;

(3) Violations of conditions contained in the permit have occurred;

(4) The EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or

(5) The Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

(T) **Insignificant Activities** [WNCRAQA Code 17.0503]
Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized WNCRAQA representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

(U) **Property Rights** [WNCRAQA Code 17.0508(i)(8)]
This permit does not convey any property rights in either real or personal property or any exclusive privileges.

(V) **Inspection and Entry** [WNCRAQA Code 17.0508(l) and 1.0104(d)]

(1) Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow WNCRAQA, or an authorized representative, to perform the following:

(a) Enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that are required to be kept under

the conditions of the permit;

(c) Inspect, at reasonable times and using reasonable safety practices, any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(d) Sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

(2) No person shall refuse entry or access to any authorized representative of WNCRAQA who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his or her official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

(W) **Annual Fee Payment** [WNCRAQA Code 17.0508(i)(10)]

(1) The Permittee shall pay all fees in accordance with WNCRAQA Code 17.0200.

(2) Payment of fees may be by check or money order made payable to the Western North Carolina Regional Air Quality Agency. Annual permit fee payments shall refer to the permit number.

(3) If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under WNCRAQA Code 17.0519.

(X) **Annual Emission Inventory Requirements** [WNCRAQA Code 17.0207]
The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in WNCRAQA Code 17.0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such forms as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

(Y) **Confidential Information** [WNCRAQA Code 17.0107 and 17.0508(i)(9)]
Whenever the Permittee submits information under a claim of confidentiality pursuant to WNCRAQA Code 17.0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with WNCRAQA Code 17.0107.

(Z) **Construction and Operation Permits** [WNCRAQA Code 17.0100 and 17.0300]
A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source that is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of WNCRAQA Code 17.0100 and 17.0300.

(AA) **Standard Application Form and Required Information** [WNCRAQA Code 17.0505 and 17.0507]
The Permittee shall submit applications and required information in accordance with the provisions of WNCRAQA Code 17.0505 and 17.0507.

(BB) **Financial Responsibility and Compliance History** [WNCRAQA Code 17.0507(d)(4)]
WNCRAQA may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

(CC) **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [WNCRAQA Code

17.0501(e)]

(1) If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82, Subpart A, Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82, Subpart F.

(2) The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device, except as provided in 40 CFR Part 82, Subpart F.

(3) The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

(DD) **Prevention of Accidental Releases - Section 112(r)** [WNCRAQA Code 17.0508(h)]
If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

(EE) **Prevention of Accidental Releases "General Duty" Clause - Section 112(r)(1)** - FEDERALLY ENFORCEABLE ONLY
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.

(FF) **Title IV Allowances** [WNCRAQA Code 17.0508(i)(1)]
This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

(GG) **Air Pollution Emergency Episode** [WNCRAQA Code 4.0300]
Should the Director declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in WNCRAQA Code 4.0300.

(HH) **Registration of Air Pollution Sources** [WNCRAQA Code 4.0202]
The Director may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with WNCRAQA Code 4.0202(b).

(II) **Ambient Air Quality Standards** [WNCRAQA Code 4.0501(c)]
In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in WNCRAQA Code 4.0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

(JJ) **General Emissions Testing and Reporting Requirements** [WNCRAQA Code 17.0508(i)(16)]
Emission compliance testing shall be by the procedures of WNCRAQA Code 4.2600, except as may be otherwise required in WNCRAQA Code 4.0524, 4.0912, 4.1110, 4.1111, or 4.1415. If emissions

testing is required by this permit or WNCRAQA or if the Permittee submits emissions testing to WNCRAQA to demonstrate compliance, the Permittee shall perform such testing in accordance with WNCRAQA Code 4.2600 and follow the procedures outlined below:

(1) The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.

(2) Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.

(3) The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.

(4) One copy of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.

(a) The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:

(i) Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.

(ii) Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.

(iii) Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.

(b) The Director may authorize the WNCRAQA to conduct independent tests of any source subject to a rule in this Chapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the WNCRAQA using the appropriate testing procedures described in WNCRAQA Code 4.2600 has precedence over all other tests.

(KK) **Reopening for Cause** [WNCRAQA Code 17.0517]

(1) A permit shall be reopened and revised under the following circumstances:

(a) Additional applicable requirements become applicable to a facility with remaining permit term of three or more years;

(b) Additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;

(c) The Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or

(d) The Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to WNCRAQA Code 17.0513(c).

(3) Except for the local enforceable only portion of the permit, the procedures set out in WNCRAQA Code 17.0507, 17.0521, or 17.0522 shall be followed to reissue the permit. If the local enforceable only portion of the permit is reopened, the procedures in WNCRAQA Code 17.0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.

(4) The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.

(5) Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

(LL) **Reporting Requirements for Non-Operating Equipment** [WNCRAQA Code 17.0508(i)(16)]
The Permittee shall maintain a record of operation for permitted equipment, noting whenever the equipment is taken from and placed into operation. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

(MM) **Fugitive Dust Control Requirement** [WNCRAQA Code 4.0540] - LOCAL ENFORCEABLE ONLY
As required by WNCRAQA Code 4.0540 "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 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 WNCRAQA Code 4.0540(g). "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).

(NN) **Specific Permit Modifications** [WNCRAQA Code 17.0501 and 17.0523]
(1) For modifications made pursuant to WNCRAQA Code 17.0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.

(2) For modifications made pursuant to WNCRAQA Code 17.0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of WNCRAQA Code 17.0500 (except for WNCRAQA Code 17.0504) is obtained.

(3) For modifications made pursuant to 502(b)(10), in accordance with WNCRAQA Code 17.0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA Region 4 - Air Planning Branch, 61 Forsyth St., Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:

(a) A description of the change at the facility;

(b) The date on which the change will occur;

(c) Any change in emissions; and

(d) Any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

(OO) **Third Party Participation and EPA Review** [WNCRAQA Code 17.0521, 17.0522 and 17.0525(7)]
For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to WNCRAQA Code 17.0518 begins at the end of the 45-day EPA review period.

ATTACHMENT

List of Insignificant Activities Under WNCRAQA Code 17.0503(8)

Emission Source Description	Control Device Description
Two 1,500 gallon above ground diesel fuel storage tank	NA
Two 1,750 gallon sub-base diesel fuel storage tank	NA

ATTACHMENT

List of Acronyms

AOS	Alternate Operating Scenario
BACT	Best Available Control Technology
BTU	British Thermal Unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CI	Compression Ignition
COMS	Continuous Opacity Monitoring System
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
NCGS	North Carolina General Statutes
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NO_X	Nitrogen Oxides
NSPS	New Source Performance Standard
PM	Particulate Matter
PM_{10}	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
$PM_{2.5}$	Particulate Matter with Nominal Aerodynamic Diameter of 2.5 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
RICE	Reciprocating Internal Combustion Engine
SI	Spark Ignition
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TPY	Tons Per Year
VOC	Volatile Organic Compound
WNCRAQA	Western North Carolina Regional Air Quality Agency