

① Alamance County
2007

0102Permit2007 - Box No. ___

01022007

State of North Carolina,
Department of Environment,
and Natural Resources

Division of Air Quality



AIR QUALITY PERMIT

| Permit No. | Replaces Permit No.(s) | Effective Date | Expiration Date |
|------------|------------------------|----------------|-----------------|
| 05896T14 | 05896R13 | August 5, 2002 | May 31, 2007 |

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 Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 2D and 2Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 2Q, 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 permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee:

Stericycle, Inc.

Facility ID:

04/01/00010

Facility Site Location:

1168 Porter Avenue

City, County, State, Zip:

Haw River, Alamance County, North Carolina 27258

Mailing Address:

Post Office Box 310

City, State, Zip:

Haw River, North Carolina 27258

Application Number:

0100010.00A

Complete Application Date:

April 4, 2000

Renewal Application Due Date:

August 31, 2006

Primary SIC Code:

4953

Division of Air Quality,

Winston-Salem Regional Office

Regional Office Address:

585 Waughtown Street

Winston-Salem, North Carolina 27107

Permit issued this the 19th day of June, 2002

Laura S. Butler, P.E., Chief, Air Permits Section

By Authority of the Environmental Management Commission

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This permit does not include a Part II.

PART I

AIR QUALITY TITLE V OPERATION PERMIT

The Division of Air Quality (DAQ), 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 Title 15A NCAC 2Q, the operation of emission source(s) and associated air pollution control device(s) and appurtenances 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) AND APPURTENANCES

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

| Emission Source ID No. | Emission Source Description | Control Device ID No. | Control Device Description |
|------------------------|--|-----------------------|--|
| ES01 | dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu/hr primary chamber burner and 6.0 million Btu/hr secondary chamber burner) | CD01 CD03 | One packed tower gaseous absorber and associated quench column in series with venturi scrubber equipped with a mist eliminator |
| ES02 | dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu/hr primary chamber burner and 6.0 million Btu/hr secondary chamber burner) | CD02 CD04 | One packed tower gaseous absorber and associated quench column in series with venturi scrubber equipped with a mist eliminator |
| EG01 | diesel-fired emergency generator (395 kW) | N/A | N/A |

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

2.1- Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

A. Two Dual Chamber Hospital, Medical, and Infectious Waste Incinerators (HMIWI) firing supplemental natural gas (ID Nos. ES01 and ES02) and packed tower gaseous absorbers (ID Nos. CD01 and CD02) in series with two venturi scrubbers (ID Nos. CD03 and CD04) equipped with mist eliminators

The following table provides a summary of limits and standards for the emission source(s) described above:

| Regulated Pollutant | Limits/Standards | Applicable Regulation |
|--|---|---|
| toxic air pollutants | State-enforceable only - See Section 2.2 A. | 15A NCAC 2D .1100 |
| odorous emissions | State-enforceable only - See Section 2.2 B. | 15A NCAC 2D .1806 |
| PM, SO ₂ , NO _x , CO, metal HAPs | Limits for Hospital, Medical, and Infectious Waste Incinerators | 15A NCAC 2D .1206 (<i>State enforceable-only until approval into SIP by EPA</i>) - 40 CFR 60 Subpart Ce 40 CFR 62 Subpart HHH (<i>implements requirements of 40 CFR 60 Subpart Ce until EPA approval of 15A NCAC 2D .1206</i>) |

1. EMISSION LIMITS

15A NCAC 2D .1206: Hospital, Medical, and Infectious Waste Incinerators,
40 CFR 60 SUBPART Ce: Emission Guidelines for HMIWI,
40 CFR 62 Subpart HHH: Federal Plan Requirements for HMIWI (until approval of 2D .1206 into SIP)

- a. The following table summarizes emission limitations for these Hospital, Medical, Infectious Waste Incinerator (HMIWI) units.

| Pollutant | Limitation | Regulation |
|--------------------|---|-------------------|
| Particulate matter | 34 mg/dscm 0.015 gr/dscf | 2D.1206(c)(2)(A) |
| Carbon monoxide | 40 ppmv | 2D.1206(c)(6) |
| Dioxins/furans | 125 ng/dscm total D/F or 2.3 ng/dscm TEQ | 2D.1206(c)(12)(A) |
| Hydrogen chloride | 100 ppmv or 93% reduction | 2D.1206(c)(8)(A) |

| | | |
|-------------------|---------------------------------------|-------------------|
| Sulfur dioxide | 55 ppmv | 2D.1206(c)(4) |
| Nitrogen dioxide | 250 ppmv | 2D.1206(c)(5) |
| Lead | 1.2 mg/dscm or 70% reduction | 2D.1206(c)(10)(A) |
| Cadmium | 0.16 mg/dscm or 65% reduction | 2D.1206(c)(11)(A) |
| Mercury | 0.55 mg/dscm or 85% reduction | 2D.1206(c)(9)(A) |
| Visible emissions | 10% opacity (6-minute block averages) | 2D.1206(c)(3) |

*All limits are corrected to 7% oxygen on a dry standard basis.

b. Operational requirements for incinerators

- (1) **The Permittee shall not exceed a maximum charge rate of 1,911 pounds per hour to each incinerator.**
- (2) Except as provided in paragraph (3) below, simultaneous operation of the HMIWI above the maximum charge rate and below the minimum secondary chamber temperature, each measured on a 3-hour rolling average, shall constitute a violation of the particulate matter, carbon monoxide, and dioxin and furan emission limits.
- (3) Pursuant to 40 CFR Part 60.56c(d)(1), for a wet scrubber control system, the Permittee shall establish the appropriate maximum and minimum operating parameters as **site specific operating parameters** identified below during initial performance testing to determine compliance with emission limits:
 - A. Maximum waste charge rate (pounds per hour);
 - B. Maximum flue gas temperature;
 - C. Minimum secondary chamber temperature;
 - D. Minimum pressure drop across the venturi scrubbers and the packed tower absorbers;
 - E. Minimum liquor flow rate to the venturi scrubbers and packed tower absorbers;
 - F. Minimum liquor pH of the packed tower absorbers; and
 - G. Bypass stack position.
- (4) Following the date in which the initial performance is approved, the Permittee shall ensure that the affected facility does not operate above the maximum parameters or below the minimum parameters measured as 3 hour rolling averages (calculated each hour as the average of the previous 3 operating hours). Operation above the established maximum or below the established minimum shall constitute a violation except during start-up, shutdown, or malfunction.

Based on the above operating parameters and consistent with 60.56c(f)(1)-(6), 62.14455(d), and 2D .1206(d)(3), the table below identifies operating scenarios that trigger a pollutant emissions limit violation.

| | |
|--------------------|---|
| particulate matter | above maximum charge rate and below minimum pressure drop across scrubber |
| CO | above maximum charge rate and below minimum secondary chamber temperature |
| dioxin/furan | above maximum charge rate and below minimum secondary chamber temperature and below minimum scrubber liquor flow rate |

| | |
|--|---|
| HCl | above maximum charge rate and below minimum absorber liquor pH |
| mercury | above maximum charge rate and above maximum flue gas temperature |
| particulate matter, dioxin/furan, HCl, lead, cadmium, mercury | operation of bypass stack (except during start-up, shutdown, or malfunction) |

- (5) The Permittee shall not charge any waste into the incinerator until the proper operating temperature of 1,800 degrees Fahrenheit is attained in the secondary chamber. This requirement is in effect until the new minimum temperature is established during the required NSPS baseline testing.
- (6) Gases generated by the combustion shall, for a period of not less than one second, be subjected to a minimum temperature of 1,800 degrees Fahrenheit. This requirement is in effect until the new minimum temperature is established during the required NSPS baseline testing.
- (7) The incinerators' stack height shall be a minimum of 82.4 feet above ground level.
- (8) Incineration of wastes shall be limited to the following:
- items and materials that fit within the definition of hospital, medical, and infectious waste contained in 40 CFR 60.51c;
 - international garbage (USDA/APHIS);
 - confidential documents and contraband;
 - expired medical products;
 - non-hazardous trace chemotherapeutic waste materials;
 - non-hazardous pharmaceuticals; and
 - chewing tobacco.
- (9) Venturi Scrubber Requirements - Particulate matter emissions shall be controlled as described in the permitted equipment list. The inspection, maintenance and record keeping requirements shall become effective upon the effective date of the permit.
- 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 scrubber systems.
 - 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 log (in written or electronic form). Records of all inspection and maintenance activities shall be recorded in the log. The log shall be kept on-site and made available to DAQ personnel upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1206(f) and 2D .0600 if records are not maintained.
 - Reporting Requirements - Within 30 days after each calendar year, the Permittee shall submit to the Regional Supervisor, DAQ, a summary of the results of all monitoring and recordkeeping activities described above.
- (10) Packed Tower Gas Absorber Requirements - Gaseous emissions shall be controlled as described in the permitted equipment list. The inspection, maintenance and record keeping requirements shall become effective upon the effective date of the permit.
- 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 as recommended by the manufacturer. In addition, the Permittee shall perform an annual internal inspection of the scrubber systems.

As a minimum, the annual internal inspection will include inspection of spray nozzles, packing material, chemical feed system (if so equipped), and the cleaning/calibration of all associated instrumentation annually.

- 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 log (in written or electronic form). Records of all inspection and maintenance activities shall be recorded in the log. The log shall be kept on-site and made available to DAQ personnel upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1206(f) and 2D .0600 if records are not maintained.
- c. **Reporting Requirements** - Within 30 days after each calendar year, the Permittee shall submit to the Regional Supervisor, DAQ, a summary of the results of all monitoring and recordkeeping activities described above.

c. **Test Methods and Procedures** [15A NCAC 2D .1206(e)]

- (1) The Permittee shall comply with the compliance and performance testing requirements of 40 CFR 60.56c, excluding the fugitive emissions testing requirements under 40 CFR 60.56c(b)(12) and (c)(3). Pursuant to 60.56c, the emission limits apply at all times except during periods of startup, shutdown or malfunction, provided that no hospital, medical, or infectious waste is charged to the incinerator during startup, shutdown, or malfunction.
- (2) The test methods and procedures described in Rule 15A NCAC 2D .0501 and in 40 CFR Part 60 Appendix A shall be used to determine compliance with emission rates. Method 29 of 40 CFR 60 shall be used to determine emission rates for metals. However, Method 29 shall be used to sample for chromium (VI), and SW 846 Method 0060 shall be used for analysis. For dioxin/furan testing purposes, a minimum sample time of 4 hours shall be used.
- (3) The Director may require the owner or operator to test his incinerator to demonstrate compliance with the emission standards listed above.
- (4) The Permittee may conduct a repeat performance test within 30 days of violation of applicable operating parameters to demonstrate that the HMIWI is not in violation of the applicable emission limits. Repeat performance tests shall be conducted using identical operating parameters that indicated violation.

d. **Monitoring/Recordkeeping/Reporting** [15A NCAC 2D .1206(f)]

- (1) The Permittee shall comply with the monitoring, recordkeeping, and reporting requirements in Section 15A NCAC 2D .0600. The Permittee shall be deemed in noncompliance with 15A NCAC 2D .1206 if records are not maintained.

Pursuant to 15A NCAC 2D .0605, the Permittee shall maintain:

- a. records detailing all malfunctions under Rule 2D .0535,
- b. records of all testing, and
- c. records of all monitoring.

The owner or operator of a source of excess emissions which last for more than 4 hours and which results from a malfunction, a breakdown of process or control equipment, or any other abnormal conditions shall report excess emissions in accordance with the requirements of Rule 2D .0535.

- (2) Records indicating the hourly (beginning on the hour) weight charged to the incinerators shall be maintained and available for inspection by the Division of Air Quality.
- (3) Using an individual with EPA Reference Method 9 certification, the Permittee shall observe visible emissions from the incinerators twice per day during daylight hours. Records of these observations shall be retained on-site and made available to DAQ personnel upon request.
- (4) The Permittee shall maintain and operate a continuous temperature monitoring and recording device for the primary chamber and secondary chamber. The owner or operator of an incinerator that has installed air pollution abatement equipment to reduce emissions of hydrogen chloride shall install, operate, and maintain continuous monitoring equipment to measure pH for wet scrubber systems. The Permittee shall install, operate, and maintain continuous

monitors for oxygen and for carbon monoxide to determine proper operation of the incinerators.

Pursuant to 40 CFR Part 60.57c(a), pressure drop across the venturi scrubbers and packed tower gas absorbers shall be monitored continuously and recorded hourly.

All monitoring devices and associated paraphernalia used to show compliance with emission limits, shall be subject to a quality assurance program to include procedures and frequency of calibration, standards traceability, operational checks, maintenance, auditing, data validation, and a schedule for implementing the quality assurance program. This program should be submitted and approved by the Regional Supervisor, North Carolina Division of Air Quality, Winston-Salem Regional Office, 585 Waughtown Street, Winston-Salem, North Carolina 27107, within 60 days of the initial operating date of the Title V permit.

- (5) In addition to the requirements of (1), (2), and (3) above, the Permittee shall comply with the reporting and recordkeeping requirements listed in 40 CFR 60.58c(b), (c), (d), (e), and (f), excluding 40 CFR 60.58c(b)(2)(ii) and (b)(7). The Permittee shall maintain the following information for a period of at least 5 years:
- a. Calendar date of each record;
 - b. Records of the following data;
 - i. concentrations of any pollutant listed in Table 1.a. above,
 - ii. HMIWI charge dates, times and weights and hourly charge rates,
 - iii. secondary chamber temperature recorded during each minute of operation,
 - iv. liquor flow rate to the wet scrubbers' and gas absorbers' inlet during each minute of operation,
 - v. horsepower or amperage to the wet scrubbers each minute of operation,
 - vi. pressure drop across both the wet scrubbers and packed tower gas absorbers,
 - vii. temperature at the outlet from the wet scrubbers and gas absorbers during each minute of operation,
 - viii. pH at the inlet to the wet scrubber and gas absorber systems during each minute of operation, and
 - ix. records indicating use of bypass stacks, including dates, times, and durations,
 - c. Identification of calendar days for which data on emission rates or operating parameters have not been obtained, with an identification of the emission rates or parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken,
 - d. Identification of calendar days, times and durations of malfunctions, a description of the malfunction and the corrective action taken,
 - e. Identification of calendar days for which data of emission rates or operating parameters exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of the corrective actions taken,
 - f. Records showing the names of HMIWI operators who have completed review of information in 60.53c(h) including the date of the initial review and all subsequent annual reviews,
 - g. Records showing the names of HMIWI operators who have completed the operator training requirements, including documentation of training and dates of the training,
 - h. Records showing the names of HMIWI operators who have met the criteria for qualification under 60.53c and the dates of their qualifications,
 - i. Records of calibration of any monitoring devices as required under 60.57c(a),(b), and (c).
- (6) The Permittee shall submit the information below no later than 60 days following the initial performance test. All reports shall be signed by the facilities manager.
- a. The initial performance test data as recorded under 60.56c(b)(1) through (b)(12), as applicable,
 - b. The values for the site-specific operating parameters established pursuant to 60.56c, and
 - c. The waste management plan as specified in 60.55c.
- (7) Following the initial report, the Permittee shall submit reports **semi-annually** signed by the facilities manager containing the following information:
- a. The values for the site-specific operating parameters established pursuant to 60.56c,
 - b. The highest maximum operating parameter and the lowest minimum operating parameter for each operating parameter recorded for the calendar year being reported and the preceding year,

- c. If a performance test was conducted during the reporting period, the results of that test,
- d. If no exceedances or malfunctions occurred for the calendar year, a statement that no exceedances occurred,
- e. Any use of bypass stacks, the duration, reason for malfunction, and corrective action taken, and
- f. Any information recorded under 5.b. above for the calendar year being reported and the preceding year.

All records shall be maintained onsite in either paper copy or computer readable format, unless an alternative format is approved.

- (8) The Permittee shall comply with the requirements of 40 CFR 60.55c for the preparation and submittal of a waste management plan. The waste management plan shall identify both the feasibility and the approach to separate certain components of solid waste from the health care waste stream. A waste management plan may include, but is not limited to, elements such as paper, cardboard, plastics, glass, battery, or metal recycling; or purchasing recycled or recyclable products. A waste management plan may include different goals or approaches for different areas or departments of the facility and need not include new waste management goals for every waste stream.

The waste management plan should identify, where possible, reasonably available additional waste management measures, taking into account the effectiveness of waste management measures already in place, the costs of additional measures, the emission reductions expected to be achieved, and other environmental or energy impacts they might have. The American Hospital Association publication entitled "An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities" (incorporated by reference, see 60.17) shall be considered in the development of the waste management plan.

- (9) The Permittee shall comply with the monitoring requirements in 40 CFR 60.57c. The Permittee shall install, calibrate (to manufacturer's specification), maintain, and operate devices (or establish methods) for monitoring the applicable maximum and minimum operating parameters and the frequencies required such that these devices (or methods) measure and record values at all times except during periods of startup and shutdown.

The Permittee shall install, calibrate (to manufacturer's specification), maintain, and operate a device or method for measuring the use of the bypass stack including date, time, and duration.

The Permittee shall obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be obtained for 75 percent of the operating hours per day and 90 percent of the operating days per calendar quarter that the facility is combusting hospital waste and/or medical/infectious waste.

e. **Excess Emissions, Start-up and Shutdown** [15A NCAC 2D .1206(g)]

- (1) All incinerators shall comply with Rule 15A NCAC 2D .0535.

f. **Operator Training and Certification** [15A NCAC 2D .1206(h)]

- (1) The Permittee shall not allow the HMIWI to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within one hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one or more HMIWI operators.

Operator training shall be obtained by completing the requirements of 40 CFR 60.53c(c) through (g). Training shall be obtained by completing an HMIWI operator training course that includes, at a minimum, the following provisions:

- a. 24 hours of training on the following subjects;
 - i. environmental concerns, including pathogen destruction and types of emissions,
 - ii. basic combustion principles, including products of combustion,
 - iii. operation of the type of incinerator being used, including power startup, waste charging, and shutdown procedures,
 - iv. combustion controls and monitoring,
 - v. operation of air pollution control equipment and factors affecting performance,
 - vi. methods to monitor pollutants and equipment calibration procedures,
 - vii. inspection and maintenance of the HMIWI, and air pollution control devices,

- viii. actions to correct malfunctions or conditions that may lead to malfunctions,
- ix. bottom and flyash characteristics and handling procedures,
- x. applicable state, federal, and local regulations,
- xi. work safety procedures,
- xii. pre-start up inspections, and
- xiii. recordkeeping requirements.

b. Qualification shall be obtained by:

- i. completion of a training course that satisfies the criteria mentioned above, and
- ii. either 6 months experience as an HMIWI operator, 6 months experience as a direct supervisor of an HMIWI operator, or completion of at least two burn cycles under observation of two qualified HMIWI operators.

c. To maintain qualification, the trained and qualified HMIWI operator shall complete and pass an annual review or refresher course of at least 4 hours covering, at a minimum, the following:

- i. update of regulations,
- ii. incinerator operation, including startup and shutdown procedures,
- iii. inspection and maintenance,
- iv. responses to malfunctions or conditions that may lead to malfunction, and
- v. discussion of operating problems encountered by attendees.

d. A lapsed qualification shall be renewed by one of the following methods:

- i. for a lapse of less than 3 years, the HMIWI operator shall complete and pass a standard annual refresher course as outlined in c. above.
- ii. for a lapse of more than 3 years, the HMIWI operator shall complete and pass a training course with the minimum criteria described in a. above.

(2) Pursuant to 40 CFR 60.53c(h)(1) through (h)(10), the Permittee shall maintain documentation at the facility that addresses the following:

- a. summary of applicable standards;
- b. description of basic combustion theory applicable to an HMIWI;
- c. procedures for receiving, handling, and charging waste;
- d. HMIWI start-up, shut-down, and malfunction procedures;
- e. procedures for maintaining proper air supply levels;
- f. procedures for operating the HMIWI and associated air pollution control systems within the standards established;
- g. procedures for responding to periodic malfunction or conditions that may lead to malfunction;
- h. procedures for monitoring HMIWI emissions;
- i. reporting and recordkeeping procedures; and
- j. procedures for handling ash.

The Permittee shall establish a program for reviewing the information documented above annually with each HMIWI operator. This information shall be kept in a readily accessible location for HMIWI operators.

B. One diesel fuel-fired emergency generator (ID No. EG01)

The following table provides a summary of limits and standards for the emission source(s) described above:

| Regulated Pollutant | Limits/Standards | Applicable Regulation |
|---------------------|---------------------------------------|-----------------------|
| sulfur dioxide | 2.3 pounds per million Btu heat input | 15A NCAC 2D .0516 |
| visible emissions | 20 percent opacity | 15A NCAC 2D .0521 |

1. 15A NCAC 2D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source 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. [15A NCAC 2D .0516]

Testing [15A NCAC 2D .0501(c)(4)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(4) and General Condition JJ found in Section 3. If the results of this test are above the limit given in Section 2.1 B. 1. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for sulfur dioxide emissions from the firing of diesel fuel in this emergency generator.

15A NCAC 2D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from the emergency generator 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. [15A NCAC 2D .0521 (d)]

Testing [15A NCAC 2D .0501(c)(8)]

- b. If emissions testing is required, the testing shall be performed in accordance with 15A NCAC 2D .0501(c)(8) and General Condition JJ. If the results of this test are above the limit given in Section 2.1 B. 2. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 2Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for visible emissions from the firing of diesel fuel in this emergency generator.

2.2- Multiple Emission Source(s) Specific Limitations and Conditions

STATE ENFORCEABLE ONLY

A. 15A NCAC 2D .1100: TOXIC AIR POLLUTANT EMISSIONS LIMITATION AND REPORTING REQUIREMENT

The emission limits in the table below represent total emissions from both incinerators combined. Pursuant to 15A NCAC 2D .1100 and in accordance with the approved application for an air toxic compliance demonstration, the following permit limits shall not be exceeded:

| EMISSION SOURCES | TOXIC AIR POLLUTANTS | EMISSION LIMITS |
|--------------------------------------|-----------------------------|--|
| Incinerators (ID Nos. ES01 and ES02) | Chromium VI | 0.964 pounds per year |
| | Arsenic | 2.673 pounds per year |
| | Cadmium | 63.91 pounds per year |
| | Hydrogen Chloride | 2.2 pounds per hour |
| | Hexachlorodibenzo-P-dioxin | 0.8831 pounds per year |
| | Tetrachlorodibenzo-P-dioxin | 0.0349 pounds per year |
| | Mercury | 3.82 pounds per day |
| | Chlorine | 24.00 pounds per day; 1.00 pounds per hour |
| | Beryllium | 47.64 pounds per year |
| | Nickel | 12.00 pounds per day |
| | Manganese | 8.22 pounds per day |
| | Hydrogen Fluoride | 24.00 pounds per day; 1.00 pounds per hour |

1. To ensure compliance with the above limits, the following restrictions apply:
 - a. The charge rate into the incinerator (ID No. ES01) shall not exceed 1,911 pounds per hour.
 - b. The charge rate into the incinerator (ID No. ES02) shall not exceed 1,911 pounds per hour.
2. The Permittee shall maintain records or any other process operational information as is necessary to determine compliance with 15A NCAC 2D .1100. All records of compliance shall be maintained in a log (in written or electronic format) and made available for inspection by personnel of the Division of Air Quality.
3. The Permittee shall test one of the two incinerators (to be selected by DAQ prior to the testing date) once every twenty-four to twenty-six consecutive months to demonstrate compliance with 15A NCAC 2D .0408, .0521, and .1100 for the following pollutants: lead, visible emissions, arsenic, beryllium, cadmium, chlorine, chromium VI, hexachlorodibenzo-p-dioxin, tetrachlorodibenzo-p-dioxin, hydrogen chloride, hydrogen fluoride, manganese, mercury, and nickel.
4. In order to minimize bypass event duration and emissions, the Permittee shall:
 - a. Install an uninterruptible power supply (UPS) for the control system to eliminate any "Reboot" time associated with the programmable logic controllers (PLCs).
 - b. Install a power outage indicator as an input to the PLCs.
 - c. Revise the PLC logic to require automatic re-closure of the bypass stack within 5 minutes after a power failure.
 - d. Install a low level switch on the emergency generator diesel tank.
 - e. Install a pressure switch to the water supply to alert operators to a loss of water supply.
 - f. Operate devices to assure continuous removal of the ash from the primary chamber.
 - g. Reduce combustion air to the primary chamber by alternately shutting the fan off and on in 1 minute cycles to achieve a net reduction in airflow of 50% during the bypass event.

B. All emission sources

The following table provides a summary of limits and standards for the emission source(s) describe above:

| Regulated Pollutant | Limits/Standards | Applicable Regulation |
|---------------------|--|-----------------------|
| odors | odorous emissions must be controlled; State-enforceable only | 15A NCAC 2D .1806 |

STATE ENFORCEABLE ONLY

1. 15A NCAC 2D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS

- a. The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.
- b. If the Director determines that a source or facility is emitting an objectionable odor, by the procedures described below, the Permittee shall:
 - i. within 180 days of receipt of written notification from the Director of the requirement to implement maximum feasible controls, complete the determination process outlined in 15A NCAC 2D .1807 and submit to the Director a completed maximum feasible control determination process, a permit application for maximum feasible controls and a compliance schedule;
 - ii. within 18 months of receipt of written notification from the Director of the requirement to implement maximum feasible controls, have installed and begun operating maximum feasible controls.
- c. The Director may require the Permittee to implement maximum feasible controls per 15A NCAC 2D .1806(g) if:
 - i. a member of the Division staff determines by field investigation that an objectionable odor is present by taking into account nature, intensity, pervasiveness, duration, and source of the odor and other pertinent factors;
 - ii. the source or facility emits known odor causing compounds such as ammonia, total volatile organics, hydrogen sulfide, or other sulfur compounds at levels that cause objectionable odors beyond the property line of that source or facility; or
 - iii. the Division receives epidemiological studies associating health problems with odors from the source or facility or evidence of documented health problems associated with odors from the source or facility provided by the State Health Director.

2.3- Schedule of Compliance

An extension for compliance was granted by NCDENR and USEPA. The sources are subject to the compliance schedule described below. This compliance schedule is an enforceable sequence of actions with milestones leading to compliance with applicable requirements for which the source is in noncompliance at the time of permit issuance. Any judicial consent decree or an administrative order to which the source is subject shall be supplemental to and shall not sanction noncompliance with other applicable requirements on which it is based [15A NCAC 2Q .0508(s) and (aa)].

- A. **Actions to be Taken by the Permittee** - The Permittee, desiring to comply with the legal requirements of this permit and with all pertinent provisions of the law and applicable requirements, is subject to the following activities:
 1. By September 15, 2002, the Permittee shall demonstrate final compliance with 40 CFR 60 Subpart Ce and 15A NCAC 2D .1206 for each of the the medical waste incinerator units and associated control equipment. At that time, the Permittee shall comply with the limits listed in table 2.1 A.1.a. above.
 2. Results of a completed stack test will be used to establish site specific operational parameters which will ensure compliance with emission limits of 15A NCAC 2D .1206. Upon completion of the test, the permit will be reopened and

revised to include the site-specific operating parameters.

B. Operational Requirements (in effect until completed stack test can be used to establish site specific operational parameters)

1. The Permittee shall not exceed a maximum charge rate of 1,911 pounds per hour to each incinerator. Records indicating the hourly weight charged (beginning on the hour) to the incinerators shall be maintained and made available to DAQ personnel upon request.
2. The Permittee shall not charge any waste into the incinerators until the proper operating temperature of 1,800 degrees Fahrenheit is attained in the secondary chamber.
3. Gases generated by combustion shall, for a period of not less than one second, be subjected to a minimum temperature of 1,800 degrees Fahrenheit.
4. The incinerators' stack height shall be a minimum of 82.4 feet above ground level.
5. Incineration of wastes shall be limited to the following:
 - a. Items and materials that fit within the definition of hospital, medical, and infectious waste contained in 40 CFR 60.51c;
 - b. International garbage (USDA/APHIS);
 - c. Confidential documents and contraband;
 - d. Expired medical products;
 - e. Non-hazardous trace chemotherapeutic waste materials;
 - f. Non-hazardous pharmaceuticals; and
 - g. Chewing tobacco.

C. Activity Reporting - No later than 60 calendar days after any date identified for accomplishment of any activity listed above, the Permittee shall submit to the DAQ written notice of what action was taken. If the action dates above are not met, the notice shall include an explanation of why the action date was not met, remedial action(s) taken, and a statement identifying the extent to which subsequent dates or times for accomplishment of listed activities may be affected.

D. Progress Report - The Permittee shall submit a certified progress report on or before January 1 and July 1 of each calendar year. The certified progress report shall contain the following:

1. the dates for achieving the activities, milestones, or compliance required in this schedule of compliance, and dates when such activities, milestones, or compliance deadlines were achieved; and
2. an explanation of why any dates in this schedule of compliance were not, or will not be met, and any preventive or corrective measures adopted.

SECTION 3 - GENERAL CONDITIONS

This section describes terms and conditions applicable to this Title V facility. All references to the "permit" in this section apply only to Part I of the permit.

A. General Provisions [NCGS 143-215 and 15A NCAC 2Q .0508(aa)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 2D and 2Q.
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 the DAQ.
3. This permit is not a waiver of or approval of any other Department 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 state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, 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 the DAQ, unless the source is exempted by rule. The DAQ 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 [15A NCAC 2Q .0507(k) and .0508(aa)]

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 Department of Environment and Natural Resources upon request.

C. Severability Clause [15A NCAC 2Q .0508(i)]

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 [15A NCAC 2Q .0507(c)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit.

E. Duty to Comply [15A NCAC 2Q .0508(j)]

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 state-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 - STATE 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 [15A NCAC 2Q .0514]**
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 2Q .0514.
2. **Transfer of Ownership or Operation [15A NCAC 2Q .0524]**
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 2Q .0524.
3. **Minor Permit Modifications [15A NCAC 2Q .0515]**
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 2Q .0515.
4. **Significant Permit Modifications [15A NCAC 2Q .0516]**
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 2Q .0516.
5. **Reopening for Cause [15A NCAC 2Q .0517]**
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 2Q .0517.

Changes Not Requiring Permit Modifications

1. **Section 502(b)(10) Changes [15A NCAC 2Q .0523(a)]**
 - a. 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.
- b. 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.
- c. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
2. Off Permit Changes [15A NCAC 2Q .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.
3. Emissions Trading [15A NCAC 2Q .0523(c)]
To the extent that emissions trading is allowed under 15A NCAC 2D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 2Q .0523(c).

I.A. Reporting Requirements for Excess Emissions and Permit Deviations [15A NCAC 2D .0535(f) and 2Q .0508(f)(3)]

"Excess Emissions" - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, or .1200 of Subchapter 2D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 2Q .0700. (Note: Definitions of excess emissions under 2D .1110 and 2D .1111 shall apply where defined by rule.)

"Deviations" - any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions, but not including excess emissions as defined above.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .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 (15A NCAC 2D .0524), NESHAPS (15A NCAC 2D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 2D .0535 as follows:
 - a. Pursuant to 15A NCAC 2D .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 Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and 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 Regional Supervisor or Director immediately when corrected measures have been accomplished; and
 - iii. submit, if requested, to the Regional Supervisor or Director within 15 days after the request a written report as described in 15A NCAC 2D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 2Q .0508(f)(3), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
 - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 2D .0535 on the next business day after becoming aware of the deviation. A written report shall be submitted within two business days to the Regional Supervisor and shall include the probable cause of such deviation and any corrective actions or preventative actions taken. All reports of deviations from permit requirements shall be certified by a responsible official.

I.B. Other Requirements under 15A NCAC 2D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 2D .0535. Note that 15A NCAC 2D .0535(g) is state-enforceable only.

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 the DAQ 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 [15A NCAC 2Q .0513(b)]

This permit is issued for a fixed term of five years for facilities subject to Title IV requirements and for a term not to exceed five years in the case of all other facilities. This permit 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 15A NCAC 2Q .0512(b)(1), this permit shall not expire until the renewal permit has been issued or denied. 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 [15A NCAC 2Q.0508(k)]

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) [15A NCAC 2Q.0508(n)]

1. The Permittee shall furnish to the DAQ, 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 the DAQ 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 [15A NCAC 2Q .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 the DAQ. 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 [15A NCAC 2Q .0508(f)]

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 DAQ personnel for inspection upon request.

P. Compliance Certification [15A NCAC 2Q .0508(t)]

The Permittee shall submit to the DAQ 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 preceeding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. 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:

- a. the identification of each term or condition of the permit that is the basis of the certification;
- b. the compliance status;
- c. whether compliance was continuous or intermittent; and
- d. the method(s) used for determining the compliance status of the source, currently and over the reporting period.

Q. Certification by Responsible Official [15A NCAC 2Q .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.

Permit Shield for Applicable Requirements [15A NCAC 2Q .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 Commission, Secretary of the Department, or Governor under NCGS 143-215.3(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 15A NCAC 2Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 2Q .0515.

S. Termination, Modification, and Revocation of the Permit [15A NCAC 2Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

- a. the information contained in the application or presented in support thereof is determined to be incorrect;
- b. the conditions under which the permit or permit renewal was granted have changed;
- c. violations of conditions contained in the permit have occurred;
- d. the EPA requests that the permit be revoked under 40 CFR §§ 70.7(g) or 70.8(d); or
- e. 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 [15A NCAC 2Q .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 representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. **Property Rights** [15A NCAC 2Q .0508(m)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. **Inspection and Entry** [15A NCAC 2Q .0508(r) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, 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 the DAQ 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 official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

. **Annual Fee Payment** [15A NCAC 2Q .0508(o)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 2Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environment and Natural Resources. 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 15A NCAC 2Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 2Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 2Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 2Q .0107 and 2Q .0508(n)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 2Q .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 15A NCAC 2Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 2Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 2Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 2Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 2Q .0505 and .0507.

BB. Financial Responsibility and Compliance History [15A NCAC 2Q .0507(d)(3)]

The DAQ 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) [15A NCAC 2Q .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) [15A NCAC 2Q .0508(g)]

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 [15A NCAC 2Q .0508(h)]

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 [15A NCAC 2D .0300]

Should the Director of the DAQ 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 15A NCAC 2D .0300.

HH. Registration of Air Pollution Sources [15A NCAC 2D .0200]

The Director of the DAQ 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 15A NCAC 2D .0202(b).

II. Ambient Air Quality Standards [15A NCAC 2D .0501(e)]

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 15A NCAC 2D .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 [15A NCAC 2Q .0508(aa)]

If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ in support

of a permit application, the Permittee shall perform such testing in accordance with the appropriate EPA reference method(s) as approved by the DAQ and follow the procedures outlined below. The Permittee must request in writing and receive approval from the DAQ for an alternate test method or procedure.

- a. The Permittee shall submit a completed Protocol Submittal Form to the DAQ Regional Supervisor at least 45 days prior to the scheduled test date. A copy of the Protocol Submittal Form may be obtained from the Regional Supervisor.
- b. The Permittee shall notify the Regional Supervisor of the specific test dates at least 15 days prior to testing in order to afford the DAQ the opportunity to have an observer on-site during the sampling program.
- c. During all sampling periods, the Permittee shall operate the emission source(s) under maximum normal operating conditions or alternative operating conditions as deemed appropriate by the Regional Supervisor or his delegate.
- d. The Permittee shall submit three copies of the test report to the DAQ. The test report shall contain at a minimum the following information:
 - i. a certification of the test results by sampling team leader and facility representative;
 - ii. a summary of emissions results and text detailing the objectives of the testing program, the applicable state and federal regulations, and conclusions about the testing and compliance status of the emission source(s);
 - iii. a detailed description of the tested emission source(s) and sampling location(s) process flow diagrams, engineering drawings, and sampling location schematics should be included as necessary;
 - iv. all field, analytical, and calibration data necessary to verify that the testing was performed as specified in the applicable test methods;
 - v. example calculations for at least one test run using equations in the applicable test methods and all test results including intermediate parameter calculations; and
 - vi. documentation of facility operating conditions during all testing periods and an explanation relating these operating conditions to maximum normal operation. If necessary, provide historical process data to verify maximum normal operation.
- e. The testing requirement(s) shall be considered satisfied only upon written approval of the test results by the DAQ.
- f. The DAQ will review emission test results with respect exclusively to the specified testing objectives as proposed by the Permittee and approved by the DAQ. The use of the test results beyond the stated objectives remains subject to the approval of the DAQ.

KK. Reopening for Cause [15A NCAC 2Q .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; and
 - c. 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 15A NCAC 2Q .0513(c):
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 2Q .0507, .0521, or .1806 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 2Q .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.

ATTACHMENT

List of Acronyms

| | |
|------------------|--|
| AO | Alternate Operating Scenario |
| BACT | Best Available Control Technology |
| Btu | British thermal unit |
| CEM | Continuous Emission Monitor |
| CFR | Code of Federal Regulations |
| CAA | Clean Air Act |
| DAQ | Division of Air Quality |
| DENR | Department of Environment and Natural Resources |
| EMC | Environmental Management Commission |
| EPA | Environmental Protection Agency |
| FR | Federal Register |
| GACT | Generally Available Control Technology |
| HAP | Hazardous Air Pollutant |
| MACT | Maximum Achievable Control Technology |
| NCAC | North Carolina Administrative Code |
| NCGS | North Carolina General Statutes |
| NESHAPS | National Emission Standards for Hazardous Pollutants |
| NO _x | Nitrogen Oxides |
| NSPS | New Source Performance Standard |
| OAH | Office of Administrative Hearings |
| PM | Particulate Matter |
| PM ₁₀ | Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less |
| POS | Primary Operating Scenario |
| PSD | Prevention of Significant Deterioration |
| SIC | Standard Industrial Classification |
| SIP | State Implementation Plan |
| SO ₂ | Sulfur Dioxide |
| tpy | Tons Per Year |
| VOC | Volatile Organic Compound |