

ASHEVILLE-BUNCOMBE 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 Asheville-Buncombe Air Quality Agency Air Quality Code (AB Air Quality Code) and is subject to all requirements therein.

Pursuant to AB Air Quality 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 Asheville-Buncombe Air Quality Agency and received an Air Quality Permit, except as provided in this permit.

Permittee:

**Duke Energy Progress, LLC
Asheville Combined Cycle Plant**

Facility ID:

11-628

Facility Site Location:

46 Duke Energy Lane

City, State, Zip:

Arden, North Carolina 28704

Facility Mailing Address:

46 Duke Energy Lane

City, State, Zip:

Arden, North Carolina 28704

Permit Number:

11-628-22A

Replaces Permit Number:

11-628-22

Issue Date:

July 12, 2022

Effective Date:

August 1, 2022

Renewal Application Due Date:

July 31, 2027

Expiration Date:

January 31, 2027

**Ashley J. Featherstone
Director**

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PART I - AIR QUALITY TITLE V OPERATION PERMIT

The Asheville-Buncombe Air Quality Agency (AB Air Quality), 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 AB Air Quality 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 |
|---------------------------|---|---|--|
| Unit 5 and Unit 7 | Two (2) natural gas/No. 2 fuel oil fired simple/combined cycle internal combustion turbines with a nominal rated capacity of 2,207 MMBtu per hour each, equipped with two steam turbines (Units 6 and 8). (Includes bypass stacks for simple cycle mode.) | SCR5 and SCR7* OxdnCat5 and OxdnCat7 | Selective Catalytic Reduction System (applicable for combined-cycle mode of operation only) Oxidation catalyst (applicable for combined-cycle mode of operation only) |
| Unit 3 IC Turbine | One (1) 1,929 million BTU per hour (nominally rated) General Electric natural gas / No. 2 fuel oil-fired simple cycle internal combustion turbine | NA | NA |
| Unit 4 IC Turbine | One (1) 1,929 million BTU per hour (nominally rated) General Electric natural gas / No. 2 fuel oil-fired simple cycle internal combustion turbine | NA | NA |
| AuxBoiler | One (1) 47.6 MMBtu per hour natural gas-fired auxiliary boiler | NA | |
| DPH1A and DPH1B | Two (2) 8.8 MMBtu/hr natural gas-fired dew point heaters | NA | |
| Emergency Generator 2 & 3 | Two (2) diesel-fired emergency use black start engines with rated output capacities of 1,400 horsepower each | NA | |
| Fire Pump Engine 2* | One (1) diesel-fired emergency use fire pump engine with a rated output capacity of 335 horsepower | NA | |
| CTWR1 & CTWR2 | Two (2) cooling towers | NA | |
| Emergency Generator 4* | One (1) diesel-fired emergency use engine with a rated output capacity of 762 horsepower for the water treatment system | NA | |

| Emission Source ID | Emission Source Description | Control Device ID | Control Device Description |
|------------------------|---|-------------------|----------------------------|
| Emergency Generator 5* | One (1) diesel-fired emergency use engine with a rated output capacity of 142 horsepower for the landfill leachate system | NA | |
| Heat 1** | One (1) 4.0 MMBtu/hr natural gas-fired heater | NA | |

*Because this source is subject to a MACT standard, it is being listed as a permitted source rather than as an insignificant activity, so that the relevant requirements can be listed in the permit.

** This source is included as permitted equipment because they were included in a facility wide NC Air toxics analysis.

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 Unit 5 & Unit 7

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

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|---------------------|--|---|
| Sulfur dioxide | 40 tons SO ₂ per consecutive 12-month period; 0.05 percent by weight sulfur content of No. 2 fuel oil; | AB Air Quality Code 4.0530 |
| | 0.06 lb/million Btu heat input | AB Air Quality Code 4.0524 (40 CFR Part 60, Subpart KKKK) |
| | Phase II Acid Rain program requirements (see Section 3) | AB Air Quality Code 17.0402 |
| Particulate matter | See Section 2.6 | AB Air Quality Code 4.0530 Actuals PAL |
| Nitrogen oxides | 15 ppm while burning natural gas when operating at 75 percent of peak load or greater | AB Air Quality Code 4.0524 (40 CFR Part 60, Subpart KKKK) |
| | 96 ppm while burning natural gas when operating at less than 75 percent load or operating at less than 0°F | |
| | 42 ppm while burning No. 2 fuel oil when operating at 75 percent of peak load or greater | |
| | 96 ppm while burning No. 2 fuel when operating at less than 75 percent load or operating at less than 0°F | |
| | 13,725 tons NO _x per consecutive 12-month period | AB Air Quality Code 4.0530 |
| | Phase II Acid Rain program requirements (see Section 3) | AB Air Quality Code 17.0402 |

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|---------------------|---|----------------------------|
| | Cross State Air Pollution Rule (CSAPR) requirements (see Section 2.1.F) | AB Air Quality Code 4.2400 |
| Visible emissions | 20 percent opacity | AB Air Quality Code 4.0521 |

(A) **AB Air Quality CODE 4.0530 - PREVENTION OF SIGNIFICANT DETERIORATION (SULFUR DIOXIDE AND PARTICULATE MATTER REQUIREMENTS)**

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0530(g), 17.0317(a)(1), & 17.0508(b)]
In order to preclude applicability of AB Air Quality Code 4.0530(g) for major sources and major modifications, the following limitations shall apply:

| Regulated Pollutant | Limits / Standards (tons per year) | Control Technology |
|---------------------------------|------------------------------------|---|
| Nitrogen oxides | 1,029.55 | selective catalytic reduction (applicable for combined-cycle mode of operation only) |
| Sulfur dioxide | 2,074.71 | sulfur content of natural gas shall not exceed 1.7 grains per 100 standard cubic feet |
| Particulate Matter (filterable) | 56.36 | none |
| PM-10 & PM-2.5 | 201.25 | none |
| Carbon monoxide | 259.64 | oxidation catalyst (applicable for combined-cycle mode of operation only) |
| VOCs | 53.13 | oxidation catalyst (applicable for combined-cycle mode of operation only) |
| Sulfuric acid | 19.40 | sulfur content of natural gas shall not exceed 1.7 grains per 100 standard cubic feet |
| Lead | 0.61 | none |

- (2) **Testing** [AB Air Quality Code 4.2600]
The Permittee has completed initial testing for these sources (Unit 5 and 7). If additional emissions testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2600 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 AB Air Quality Code 4.0530.
- (3) **Monitoring** [AB Air Quality Code 4.0605(b), 17.0317(b), & 17.0508(f)]
The Permittee shall keep records of the monthly emissions from each source (ID Nos. Unit 5 Turbine and Unit 7 Turbine), in a logbook (written or in electronic format). The Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0530(g) if these records are not kept or if any of the above limits are exceeded. Emissions shall be determined as follows:

$$\text{Total Emissions} = \sum \text{Unit 5} + \text{Unit 7}$$

- (a) **Nitrogen Oxides**
Emissions of nitrogen oxides shall be determined using a continuous emissions monitoring

(CEM) system meeting the requirements of AB Air Quality Code 4.0613 - 40 CFR Part 60 Appendix B "Performance Specifications" and Appendix F "Quality Assurance Procedures." If the owner or operator has installed a nitrogen oxides CEMS to meet the requirements of 40 CFR Part 75 and is continuing to meet the ongoing requirements of 40 CFR Part 75, that CEMS may be used to meet the requirements of this section, and used to calculate total nitrogen oxide emissions in accordance with the following equation. Data reported to meet the requirements of this section shall include data substituted using the missing data procedures in subpart D of 40 CFR Part 75 and may be bias adjusted according to the procedures of 40 CFR Part 75.

Total Monthly Emissions (NO_x) =

Unit 5 CEMS + Unit 7 CEMS

- (b) Sulfur Dioxide
Emissions of sulfur dioxide for Unit 5 and Unit 5 shall be determined using the following equation:

Total Monthly Emissions (SO₂) =

*(0.000724 lb/mmBtu) * (mmBtu SC oil, Unit 5 + mmBtu SC oil, Unit 7) * (ton/2000 lb) +
(0.000923 lb/mmBtu) * (mmBtu SC gas, Unit 5 + mmBtu SC gas, Unit 7) * (ton/2000 lb) +
(0.000724 lb/mmBtu) * (mmBtu CC oil, Unit 5 + mmBtu CC oil, Unit 7) * (ton/2000 lb) +
(0.000923 lb/mmBtu) * (mmBtu CC gas, Unit 5 + mmBtu CC gas, Unit 7) * (ton/2000 lb)*

- (c) Particulate Matter (filterable)
In order to demonstrate compliance with the PM emission limit of 56.36 tons per 12-month rolling average, the Permittee shall monitor the operating hours on fuel oil and natural gas and calculate the monthly PM emissions from each source as follows:

Total Monthly Emissions (PM) =

*(14.2 lb/hr) * ((hours/month SC oil, Unit 5) * (ton/2000 lb) +
(2.50 lb/hr) * ((hours/month SC gas, Unit 5) * (ton/2000 lb) +
(14.2 lb/hr) * ((hours/month CC oil, Unit 5) * (ton/2000 lb) +
(2.50 lb/hr) * ((hours/month CC gas, Unit 5) * (ton/2000 lb) +
(14.2 lb/hr) * ((hours/month SC oil, Unit 7) * (ton/2000 lb) +
(2.50 lb/hr) * ((hours/month SC gas, Unit 7) * (ton/2000 lb) +
(14.2 lb/hr) * ((hours/month CC oil, Unit 7) * (ton/2000 lb) +
(2.50 lb/hr) * ((hours/month CC gas, Unit 7) * (ton/2000 lb)*

- (d) PM-10 and PM-2.5
In order to demonstrate compliance with the PM-10 and PM-2.5 emissions limits of 201.25 tons per 12-month rolling average, the Permittee shall monitor the operating hours on fuel oil and natural gas and calculate the monthly PM emissions from each source as follows:

Total Monthly Emissions (PM) =

$$\begin{aligned} & (39.7 \text{ lb/hr}) * ((\text{hours/month SC oil, Unit 5}) * (\text{ton}/2000 \text{ lb})) + \\ & (8.70 \text{ lb/hr}) * ((\text{hours/month SC gas, Unit 5}) * (\text{ton}/2000 \text{ lb})) + \\ & (39.7 \text{ lb/hr}) * ((\text{hours/month CC oil, Unit 5}) * (\text{ton}/2000 \text{ lb})) + \\ & (8.70 \text{ lb/hr}) * ((\text{hours/month CC gas, Unit 5}) * (\text{ton}/2000 \text{ lb})) + \\ & (39.7 \text{ lb/hr}) * ((\text{hours/month SC oil, Unit 7}) * (\text{ton}/2000 \text{ lb})) + \\ & (8.70 \text{ lb/hr}) * ((\text{hours/month SC gas, Unit 7}) * (\text{ton}/2000 \text{ lb})) + \\ & (39.7 \text{ lb/hr}) * ((\text{hours/month CC oil, Unit 7}) * (\text{ton}/2000 \text{ lb})) + \\ & (8.70 \text{ lb/hr}) * ((\text{hours/month CC gas, Unit 7}) * (\text{ton}/2000 \text{ lb})) \end{aligned}$$

(e) Carbon Monoxide

Emissions of carbon monoxide shall be determined for Combustion Turbines Unit 5 and Unit 7 using a CEM system that meets the requirements of AB Air Quality Code 4.0613 except that:

- (i) A Cylinder Gas Audit (CGA) shall be conducted at least once each QA operating quarter on each simple cycle stack CO CEMS and each combined-cycle stack CO CEMS in accordance with 40 CFR Part 75, Appendix B, §2.2.1 instead of once every calendar quarter. A QA operating quarter for each CO CEMS is defined as a calendar quarter in which the unit operates at least 168 unit operating hours (in simple-cycle or combined-cycle mode), and a unit operating hour is a clock hour during which a unit combusts any fuel, either for part of the hour or for the entire hour. Regardless of the number of hours of operation, at a minimum, a CGA shall be conducted at least once every four calendar quarters on each CO CEMS consistent with the requirements in 40 CFR Part 75, Appendix B, §2.2.3(f).
- (ii) A Relative Accuracy Test Audit (RATA) shall be conducted once every four successive QA operating quarters (as defined above) in accordance with 40 CFR Part 75, Appendix B, §2.3.1.2 instead of once every four calendar quarters. Regardless of the number of hours of operation, at a minimum, a RATA shall be conducted at least once every eight calendar quarters on each CO CEMS consistent with the requirements in 40 CFR Part 75, Appendix B, §2.3.1.1(a).
- (iii) All grace period provisions from Part 75, Appendix B, §2.2.4 and, §2.3.3 apply.

In order to demonstrate compliance with the carbon monoxide emissions limit of 259.64 tons per 12-month rolling average, the Permittee shall monitor the monthly carbon monoxide emissions from each source as follows:

Total Monthly Emissions (CO) =

Unit 5 CEMS + Unit 7 CEMS

(f) VOCs

In order to demonstrate compliance with the VOC emissions limit of 53.13 tons per 12-month rolling average, the Permittee shall monitor the operating hours on natural gas and fuel oil in simple cycle and combined cycle modes for Combustion Turbines Unit 5 and Unit 7 and calculate the monthly carbon monoxide emissions from each source as follows:

Total Monthly Emissions (VOC) =

$$\begin{aligned} & (0.00403 \text{ lb/mmBtu}) * (\text{mmBtu SC oil, Unit 5} + \text{mmBtu SC oil, Unit 7}) * (\text{ton}/2000 \text{ lb}) + \\ & (0.00170 \text{ lb/mmBtu}) * (\text{mmBtu SC gas, Unit 5} + \text{mmBtu SC gas, Unit 7}) * (\text{ton}/2000 \text{ lb}) + \\ & (0.00203 \text{ lb/mmBtu}) * (\text{mmBtu CC oil, Unit 5} + \text{mmBtu CC oil, Unit 7}) * (\text{ton}/2000 \text{ lb}) + \\ & (0.00128 \text{ lb/mmBtu}) * (\text{mmBtu CC gas, Unit 5} + \text{mmBtu CC gas, Unit 7}) * (\text{ton}/2000 \text{ lb}) \end{aligned}$$

- (g) Sulfuric acid and Lead
No monitoring is required for sulfuric acid and lead.

- (4) **Reporting** [AB Air Quality Code 17.0508(f)]
Records (written or electronic format) of the above monitoring shall be maintained onsite and made available to an authorized AB Air Quality representative upon request. The records shall include the following:

- (a) The Permittee shall submit an annual summary report, acceptable to the Director, of emissions of the above pollutants from each source (ID Nos. Unit 5 Turbine and Unit 7 Turbine) and the total for all sources based on the calculations above (tons per rolling consecutive 12-month period) postmarked on or before January 30 of each calendar year for the preceding 12-month period between January and December. The emissions must be calculated for each of the 12-month periods over the previous 17 months.

(B) AB Air Quality CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS

The Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in Environmental Management Commission Standard 15A NCAC 02D .0524 "New Source Performance Standards" as promulgated in 40 CFR Part 60 Subpart KKKK, including Subpart A "General Provisions."

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0524(a) & 17.0508(b)]
NOx emissions (except during startup, shutdowns, and malfunction) from Unit 5 and Unit 7 while burning natural gas shall not exceed:
- (a) 15 ppm at 15 percent O₂, or
- (b) 96 ppm at 15 percent O₂ when operating at less than 75 percent of peak load or operating at ambient temperature below 0° F.
- (2) **Emission Limitation/Standard** [AB Air Quality Code 4.0524(a) & 17.0508(b)]
NOx emissions (except during startup, shutdowns, and malfunction) from Unit 5 and Unit 7 while burning No. 2 fuel oil shall not exceed:
- (a) 42 ppm at 15 percent O₂, or
- (b) 96 ppm at 15 percent O₂ when operating at less than 75 percent of peak load or operating at ambient temperature below 0° F.
- (3) **Emission Limitation/Standard** [AB Air Quality Code 4.0524(a) & 17.0508(b)]
SO₂ emissions (except during startup, shutdowns, and malfunction) from Unit 5 and Unit 7 shall not exceed:
- (a) 0.06 lb/million Btu heat input (fuel sulfur content limit) [§60.4330]

- (4) **Testing** [AB Air Quality Code 4.2600]
The Permittee has completed initial testing for these sources (Unit 5 and 7). If additional emissions testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2600 and General Condition JJ. If the results of this test are above the limit given in Section 2.2(B)(1) and 2.2(B)(2) above, the Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524.
- (5) **Monitoring/Recordkeeping** [AB Air Quality Code 4.0524(a) and 17.0508(f)]
- (a) The Permittee shall operate and maintain the combustion turbines, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown and malfunction in accordance with §60.4333. The Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524, specifically with requirements of 40 CFR 60.11(d), if the Permittee, to the extent practicable, does not maintain and operate combustion turbines including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions, at all times including periods of startup, shutdown, and malfunction.
- (b) The Permittee shall install, certify, maintain and operate a NOx continuous emissions monitoring system (CEMS) on each combined cycle and simple cycle turbine stack or ductwork as described in §60.4340(b), to demonstrate compliance with the applicable NOx emission limit. Excess emissions are based on a 30-day rolling average for combined cycle operation, and on a 4-hour rolling average for simple-cycle operation, and shall be determined in accordance with §60.4345 and §60.4350. For operation periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard in accordance with §60.4380(b)(3). If the NOx CEMS does not comply with the requirements of §60.4340(b) and §60.4345, or the NOx emissions (except during startups, shutdowns, and malfunction) exceeds the applicable NOx limit, the Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524
- (c) For natural gas, the Permittee shall demonstrate compliance with the applicable SO₂ emission limit by using representative fuel sampling data showing sulfur content of the fuel does not exceed 0.060 lb SO₂/MMBtu in accordance with 60.4365(b). For natural gas, the Permittee shall provide at a minimum the amount of data in Section 2.3.1.4 or 2.3.2.4 of Appendix D to Part 75. The Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524, if the Permittee does not make the above demonstration for natural gas, if the demonstrations indicate that the sulfur content of natural gas exceeds 0.060 lb SO₂/MMBtu, if the SO₂ emissions (excluding the emissions during startup, shutdown, and malfunction) from the combustion turbines exceeds the applicable emission limit, or if these records are not maintained.
- (d) For fuel oil, the Permittee shall demonstrate compliance with the applicable SO₂ emission limit by using representative fuel sampling data showing that the sulfur content of the fuel does not exceed 0.060 lb SO₂/MMBtu in accordance with §60.4370(a). For fuel oil, the Permittee shall use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to Part 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). The Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524, if the Permittee does not make the above demonstration for fuel oil, if the demonstrations indicate that the sulfur content of fuel oil exceeds 0.060 lb SO₂/MMBtu, if the SO₂ emissions (excluding the emissions during startup, shutdown, and

malfunction) from the combustion turbines exceeds the applicable emission limit, or if these records are not maintained.

(6) **Reporting** [AB Air Quality Code 4.0524(a) & 17.0508(f)]

The Permittee shall conduct reporting according to the following:

- (a) The Permittee shall submit reports of excess emissions and monitor downtime in accordance with §60.7(c). Excess emissions must be reported for all periods of operation, including startup, shutdown, and malfunctions. All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period. [§60.4375(a), and §60.4395]
 - (i) Excess emissions and monitor downtime for the NO_x CEMS are defined as follows: [§60.4380(b)]
 - (a) Excess Emissions. To demonstrate compliance, an excess emission is any unit operating period in which the 30-day rolling average (for combined-cycle operation) or 4-hour rolling average (for simple-cycle operation) NO_x emission rate exceeds the applicable emission limit.
 - (b) Monitor Downtime. To demonstrate compliance, a period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NO_x and either CO₂ or O₂ concentration.
 - (c) For operating periods (i.e., 4-hour rolling or 30-day rolling periods) during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards (i.e., during fuel switches or hours with load changes across 75% peak load), the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard. [§60.4380(b)(3)]
 - (ii) Excess emissions and monitor downtime for the fuel sulfur content are defined as follows: [§60.4385]
 - (a) For samples of gaseous fuel, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.
 - (b) If the option to sample each delivery of fuel oil has been selected, the Permittee shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. The Permittee shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and the Permittee shall evaluate excess emissions according to §60.4385(a). When all of the fuel from the delivery has been burned, the Permittee may resume using the as-delivered sampling option.
 - (c) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.
- (b) The Permittee shall submit a summary report of monitoring and record keeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period

between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

(C) AB Air Quality CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS

- (1) **Emission Limitation/Standard** To comply with 40 CFR Part 60, Subpart TTTT, “Standards of Performance for Greenhouse Gas Emissions from Electric Generating Units,” the permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in Chapter 4.0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR Part 60 Subpart TTTT, including Subpart A "General Provisions." These standards were promulgated on October 23, 2015. This rule establishes standards for emissions of carbon dioxide (CO₂) for affected fossil fuel fired electric generating units (EGUs) constructed after January 8, 2014. The standard for newly constructed base load stationary combustion turbines that combust more than 90% natural gas on an annual heat input basis is 1,000 pounds CO₂/MWh gross energy output.
- (2) **Monitoring/Recordkeeping** [AB Air Quality Code 17.0508(f)]
To assure compliance with the emissions limit above, the Permittee shall maintain purchase records of natural gas and No. 2 fuel oil. These records must be kept for a period of 3 years. [AB Air Quality Code 4.0524]

(D) AB Air Quality CODE 4.0521 - CONTROL OF VISIBLE EMISSIONS

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0521(d) & 17.0508(b)]
Visible emissions from these sources shall not exceed 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.

(E) AB Air Quality CODE 2.400 – CROSS STATE AIR POLLUTION RULE (CSAPR)

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0521(d) & 17.0508(b)]
For the two combustion turbines (ID Nos. Unit 5 and Unit 7), the Permittee shall comply with all applicable requirements of 40 CFR Part 97, Subpart AAAAA "TR NO_x Annual Trading Program", Subpart BBBBB "TR NO_x Ozone Season Trading Program", and Subpart CCCCC "TR SO₂ Group 1 Trading Program".

2.2 - Emission Source ID Unit 3 IC Turbine & Unit 4 IC Turbine

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

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|---------------------|--|---|
| Sulfur dioxide | 40 tons SO ₂ per consecutive 12-month period; 0.05 percent by weight sulfur content of No. 2 fuel oil; | AB Air Quality Code 4.0530 |
| | 0.8 percent by weight sulfur content of all fuels | AB Air Quality Code 4.0524 (40 CFR Part 60, Subpart GG) |
| Particulate matter | See Section 2.6 | AB Air Quality Code 4.0530 Actuals PAL |

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|---------------------|--|---|
| Nitrogen oxides | 0.0103 percent (103 ppm) by volume at 15 percent oxygen and on a dry basis for natural gas combustion; 0.0101 percent (101 ppm) by volume at 15 percent oxygen and on a dry basis for No. 2 fuel oil combustion | AB Air Quality Code 4.0524 (40 CFR Part 60, Subpart GG) |
| | 13,725 tons NO _x per consecutive 12-month period | AB Air Quality Code 4.0530 |
| | Cross State Air Pollution Rule (CSAPR) requirements (see Section 2.2.E) | AB Air Quality Code 4.2400 |
| Visible emissions | 20 percent opacity | AB Air Quality Code 4.0521 |

(A) **AB Air Quality CODE 4.0530 - PREVENTION OF SIGNIFICANT DETERIORATION (SULFUR DIOXIDE AND PARTICULATE MATTER REQUIREMENTS)**

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0530(g), 17.0317(a)(1), & 17.0508(b)]
In order to preclude applicability of AB Air Quality Code 4.0530(g) for major sources and major modifications, the following limitations shall apply:
 - (a) Both sources shall emit no more than 40 tons of sulfur dioxide (SO₂) per consecutive 12-month period;
 - (b) The No. 2 fuel oil combusted in both sources shall not exceed 0.05 percent by weight sulfur content; and
- (2) **Testing** [AB Air Quality Code 4.2600]
No testing is required at this time; however, AB Air Quality reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2600 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 AB Air Quality Code 4.0530.
- (3) **Monitoring** [AB Air Quality Code 4.0605(b), 17.0317(b), & 17.0508(f)]
To assure compliance with the limitations given in Section 2.2(A)(1) above, the Permittee shall monitor the following:
 - (a) The hourly fuel-specific heat input measured in accordance with 40 CFR Part 75;
 - (b) The sulfur content of No. 2 fuel oil combusted in each combustion turbine as specified in §60.334(i) of 40 CFR Part 60, using the test methods and procedures in §60.335(b)(10) and (11);
 - (c) The calculated monthly SO₂ emissions based on the hourly fuel-specific heat input monitored per Section 2.2(A)(3)(a), the fuel sulfur content monitored per Section 2.2(A)(3)(b), and
 - (d) The annual SO₂ emissions for each consecutive 12-month period.
- (4) **Recordkeeping** [AB Air Quality Code 4.0605(b), 17.0317(b), & 17.0508(f)]
Records (written or electronic format) of the above monitoring shall be maintained onsite and made available to an authorized AB Air Quality representative upon request. The records shall include the following:

- (a) The date and time of the required monitoring; and
 - (b) The input parameters and results of the required monitoring noting whether or not noncompliant conditions were observed.
- (5) **Reporting** [AB Air Quality Code 17.0508(f)]
The Permittee shall submit a summary report of monitoring and recordkeeping activities, including the total SO₂ emissions for each month and each consecutive 12-month period in the reporting period, postmarked on or before January 30 of each calendar year for the preceding three-month period between October and December, April 30 of each calendar year for the preceding three-month period between January and March, July 30 of each calendar year for the preceding three-month period between April and June, and October 30 of each calendar year for the preceding three-month period between July and September. All instances of deviations from the requirements of this permit must be clearly identified.

(B) AB Air Quality CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0524(a) & 17.0508(b)]
As specified in §60.332(a)(1) of 40 CFR Part 60, emissions of nitrogen oxides from each source shall not exceed 0.0103 percent (103 ppm) by volume at 15 percent oxygen and on a dry basis for natural gas combustion and 0.0101 percent (101 ppm) by volume at 15 percent oxygen and on a dry basis for No. 2 fuel oil combustion. As specified in §60.333(b), fuel combusted in each source shall not contain sulfur in excess of 0.8 percent by weight.
- (2) **Monitoring/Recordkeeping** [AB Air Quality Code 4.0524(a) and 17.0508(f)]
To assure compliance with the limitations given in Section 2.2(B)(1) above, the Permittee shall:
- (a) Monitor sulfur content of the No. 2 fuel oil being combusted in each combustion turbine according to §60.334(h) and using the test methods and procedures in §60.334(h)(1) and §60.335 (b)(10-11); and
 - (b) As required by §60.334(a), using the procedures in §60.335, for each combustion turbine, install and operate a continuous monitoring system to monitor and record fuel consumption and the ratio of water-to-fuel being combusted. The monitoring device shall be calibrated and maintained in accordance with the procedures in §60.334(g).
- (3) **Reporting** [AB Air Quality Code 4.0524(a) & 17.0508(f)]
The Permittee shall conduct reporting according to the following:
- (a) For the purpose of reports required under §60.7(c), periods of excess emissions for sulfur dioxide shall be reported for any daily period during which the sulfur content of the fuel being combusted exceeds 0.05 percent by weight based on a 12-month rolling average;
 - (b) For the purpose of reports required under §60.7(c), periods of excess emissions for nitrogen oxides shall be reported for any one-hour period during which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the water-to-fuel ratio determined to demonstrate compliance with §60.332 by the performance test required in §60.8; and
 - (c) The Permittee shall submit in writing the sulfur content and of the No. 2 fuel oil combusted in the combustion turbines by January 30 of each calendar year for the preceding three-month period between October and December, April 30 of each calendar year for the preceding three-month period between January and March, July 30 of each calendar year for the preceding three-month period between April and June, and October 30 of each calendar year for the preceding three-month period between July and September.

All instances of deviations from the requirements of this permit must be clearly identified.

(C) AB Air Quality CODE 4.0530 - PREVENTION OF SIGNIFICANT DETERIORATION (NITROGEN OXIDES REQUIREMENTS)

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0530(g), 17.0317(a)(1), & 17.0508(b)]
In order to preclude applicability of AB Air Quality Code 4.0530(g) for major sources and major modifications, both sources shall emit no more than 13,725 tons of nitrogen oxides per consecutive 12-month period.
- (2) **Testing** [AB Air Quality Code 4.2612]
No testing is required at this time; however, AB Air Quality reserves the right to require appropriate testing at a later date. If emissions testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2612 and General Condition JJ. If the results of this test are above the limit given in Section 2.2(C)(1) above, the Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0530.
- (3) **Monitoring/Recordkeeping** [AB Air Quality Code 4.0605(b), 17.0317(b), & 17.0508(f)]
To assure compliance with the limitation given in Section 2.2(C)(1) above, the Permittee shall determine nitrogen oxide emissions in pounds per hour using a CEMS meeting the requirements of 40 CFR Part 75, except that unbiased values may be used (missing data shall be filled in accordance with 40 CFR Part 75). Compliance with the nitrogen oxides emission limitation shall be determined monthly by summing hourly CEMS values over a consecutive 12-month period. The minimum number of data points, equally spaced, required to determine a valid hour value shall be determined by 40 CFR Part 75. If any consecutive 12-month sum exceeds the limitation given in Section 2.2(C)(1) above, the Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0530.
- (4) **Reporting** [AB Air Quality Code 4.0605(b), 17.0317(b), & 17.0508(f)]
The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding three-month period between October and December, April 30 of each calendar year for the preceding three-month period between January and March, July 30 of each calendar year for the preceding three-month period between April and June, and October 30 of each calendar year for the preceding three-month period between July and September. All instances of deviations from the requirements of this permit must be clearly identified.

(D) AB Air Quality CODE 4.0521 - CONTROL OF VISIBLE EMISSIONS

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0521(d) & 17.0508(b)]
Visible emissions from these sources shall not exceed 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** [AB Air Quality Code 4.2610]
If emissions testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2610 and General Condition JJ. If the results of this test are above the limit given in Section 2.2(D)(1) above, the Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0521.
- (3) **Monitoring** [AB Air Quality Code 4.0605(b) & 17.0508(f)]
To assure compliance with the limitation given in Section 2.2(D)(1) above, the Permittee shall perform a Method 9 test for 1 hour in accordance with AB Air Quality Code 4.2610 prior to exceeding 1,000 hours of operation while combusting No. 2 fuel oil in each of these sources. This monitoring protocol shall be repeated prior to each 1,000-hour period of operation while

combusting No. 2 fuel oil. No monitoring is required while burning natural gas in these sources.

- (4) **Recordkeeping** [AB Air Quality Code 4.0605(b) & 17.0508(f)]
Records (written or electronic format) of the above monitoring shall be maintained onsite and made available to an authorized AB Air Quality representative upon request. The records shall include the following:
- (a) The date and time of each recorded action;
 - (b) The results of each observation and/or test noting the source with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
 - (c) The results of any corrective actions performed.
- (5) **Reporting** [AB Air Quality Code 4.0605(b) & 17.0508(f)]
The permittee shall submit the results of the Method 9 test within 30 days of completion of the test. All instances of deviations from the requirements of this permit must be clearly identified.

(E) AB Air Quality CODE 2.400 – CROSS STATE AIR POLLUTION RULE (CSAPR)

- (2) **Emission Limitation/Standard** [AB Air Quality Code 4.0521(d) & 17.0508(b)]
For the two combustion turbines (ID Nos. Unit 3 and Unit 4), the Permittee shall comply with all applicable requirements of 40 CFR Part 97, Subpart AAAAA "TR NOx Annual Trading Program", Subpart BBBB "TR NOx Ozone Season Trading Program", and Subpart CCCC "TR SO2 Group 1 Trading Program".

2.3 – Emission IDs AuxBoiler, DPH1A, and DPH2A

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

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|--------------------------|---|---|
| N/A | Recordkeeping only: monthly fuel records (Auxboiler only) | AB Air Quality Code 4.0524 (40 CFR Part 60 Subpart Dc) |
| Hazardous Air Pollutants | See Section 2.3.B | AB Air Quality Code 4.1111 (40 CFR Part 63 Subpart JJJJJ) |
| Particulate matter | 0.105 pounds per million btu heat input | AB Air Quality Code 4.0503 |
| Sulfur dioxide | 2.3 pounds per million Btu heat input | AB Air Quality Code 4.0516 |
| Particulate matter | See Section 2.6 | AB Air Quality Code 4.0530 Actuals PAL |
| Visible emissions | 20 percent opacity | AB Air Quality Code 4.0521 |

- (A) AB Air Quality CODE 4.0524 - NEW SOURCE PERFORMANCE STANDARDS**
This condition applies only to AuxBoiler.

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0524(a) & 17.0508(b)]
The permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in Chapter 4.0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR Part 60 Subpart Dc, "Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units," including Subpart A "General Provisions."
- (2) **Monitoring/Recordkeeping** [AB Air Quality Code 4.0524(a) and 17.0508(f)]
 - (a) The Permittee shall record and maintain records of the amount of fuel burned during each calendar month. Such records shall be maintained on site at the source for a period of two years following the date of such record. The Permittee shall be deemed in noncompliance with AB Air Quality Code 4.0524 if these records are not maintained.

(B) **AB Air Quality CODE 4.01111 - NEW SOURCE PERFORMANCE STANDARDS**

This condition applies to AuxBoiler, DPH1A and DPH1B.

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.1111(a) & 17.0508(b)]
Should AuxBoiler, DPH1A or DPH1B operate on fuel oil other than during periods of gas curtailment, gas supply emergencies, startup, or for periodic testing not to exceed 48 hours during any calendar year, the affected boiler(s) shall be operated in accordance with WNCRA Code 4.1111 - "Maximum Achievable Control Technology" and 40 CFR Part 63 - "National Emission Standards for Hazardous Air Pollutants for Source Categories." The requirements are stated in 40 CFR Part 63, Subpart A - "General Provisions," and 40 CFR Part 63, Subpart JJJJJ - "National Emission Standards for Area Sources: Industrial, Commercial, and Institutional Boilers." Once a boiler becomes subject to Subpart JJJJJ (by switching to fuel oil), compliance must be achieved within 180 days of the date of the fuel switch. [63.11210(h)].
- (2) **Notification and Reporting Requirements** [AB Air Quality Code 4.1111(a) and 17.0508(f)]
 - (a) An Initial Notification must be submitted within 120 days after the source becomes subject to the standard. [40 CFR 63.9(b) and 40 CFR 63.11225(a)(2)]
 - (b) A Notification of Compliance Status must be submitted no later than 120 days after the applicable compliance date. The notification must include the following certifications of compliance and be signed by a responsible official [63.11225(a)(4)]:
 - (i) That the facility complies with the requirements in 40 CFR 63.11214 to conduct an initial tune-up of the boiler;
 - (ii) That the facility has had an energy assessment performed according to 63.11214(c); and
 - (iii) That no secondary materials that are solid waste were combusted in the affected unit.
 - (iv) The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). (Note: In accordance with AB Air Quality Code 4.0605 - "General Recordkeeping and Reporting Requirements," if AB Air Quality is not notified automatically via CEDRI that the Notification of Compliance Status has been submitted to EPA, or if the notification is not readily accessible to AB Air Quality via CEDRI, the facility may be required to notify AB Air Quality that the notification has been submitted and/or to provide a copy of the notification to AB Air Quality.
 - (c) If the Permittee intends to switch fuels, and this fuel switch may result in the applicability of

Subpart JJJJJ or a switch out of Subpart JJJJJ due to a switch to 100 percent natural gas, the Permittee must provide 30 days prior notice of the date of the fuel switch. The notification must identify [63.11225(g)]:

- (i) The name of the owner or operator of the affected source, the location of the source, the boiler(s) that will switch fuels, and the date of the notice;
- (ii) The date upon which you will commence the fuel switch.

(C) AB Air Quality CODE 4.0503 – PARTICULATES FROM FUEL BURNING INDIRECT HEAT EXCHANGERS

This condition applies to AuxBoiler, DPH1A and DPH1B.

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0503(c) & 17.0508(b)]
Emissions of particulate matter from the combustion of natural gas that are discharged from the auxiliary boiler (AuxBoiler) and the two dew point heaters (DPH1A and DPH1B) into the atmosphere shall not exceed 0.105 pounds per million Btu heat input each.

(D) AB Air Quality CODE 4.0516 – SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

This condition applies to AuxBoiler, DPH1A and DPH1B.

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0516(a) & 17.0508(b)]
Emissions of sulfur dioxide from the auxiliary boiler (AuxBoiler) and the two dew point heaters (DPH1A and DPH1B) shall not exceed 2.3 pounds per million Btu heat input each. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

(E) AB Air Quality CODE 4.0521 – CONTROL OF VISIBLE EMISSIONS

This condition applies to AuxBoiler, DPH1A and DPH1B.

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.0521(d) & 17.0508(b)]
Visible emissions from these sources 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.

2.4 - Emission Source ID Emergency Generators 2, 3, 4, 5 and Fire Pump Engine 2

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|--------------------------|----------------------------|---|
| Hazardous air pollutants | Work practice standards | AB Air Quality Code 4.1111 (40 CFR Part 63, Subpart ZZZZ) |
| Multiple pollutants | See Section 2.4.B(2) below | AB Air Quality Code 4.0524 (40 CFR Part 60, Subpart IIII) |
| Particulate matter | See Section 2.6 | AB Air Quality Code 4.0530 Actuals PAL |

(A) AB Air Quality CODE 4.1111 - MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT - 40 CFR PART 63 SUBPART ZZZZ)

- (1) **Applicability** [AB Air Quality Code 4.1111 & 17.0508(b) & 40 CFR 63.6595(a)(1)]

For Emergency Generators 2, 3, 4, 5 and Fire Pump Engine 2, the Permittee shall comply with the requirements of 40 CFR Part 63, Subpart ZZZZ, "National Emission Standards of Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE)" by meeting the requirements of 40 CFR Part 60, Subpart IIII as specified in Section 2.G. above. No further requirements apply under 40 CFR Part 63, Subpart ZZZZ.

(B) AB Air Quality CODE 4.0524 – NEW SOURCE PERFORMANCE STANDARDS

- (1) **Applicability** [AB Air Quality Code 4.1111 & 17.0508(b) & 40 CFR 63.6595(a)(1)]
For Emergency Generators 2, 3, 4, 5 and Fire Pump Engine 2, the Permittee shall comply with all applicable provisions, including the emissions standards, notification, testing, reporting, recordkeeping, and monitoring requirements in accordance with AB Air Quality 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." [AB Air Quality Code 4.0524]
- (2) **Emissions Limitation/Standard** [AB Air Quality Code 4.1111 & 17.0508(b) & 40 CFR 63.6602]
 - (a) 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 Emergency Generators 2, 3, 4, and 5. [40CFR 60.4205(b)]
 - (b) For fire pump engines with a displacement of less than 30 liters per cylinder, Fire Pump Engine 2, the Permittee shall comply with the emission standards in Table 4 of 40 CFR 60 Subpart IIII, for all pollutants. [60.4205(c)]
- (3) **Monitoring, Installation, Collection, Operation, and Maintenance Requirements** [AB Air Quality Code 4.1111 & 17.0508(b) & 40 CFR 63.6625(e)]
 - (a) The Permittee shall use diesel fuel in the engine that meets the requirements of 40 CFR 80.510(b) including:
 - (i) a maximum sulfur content of 15 ppm; and
 - (ii) a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [40 CFR 60.4207(b)]
 - (b) The owner or operator must operate and maintain the engines and control devices in accordance with the manufacturer's written instructions. The owner or operator may only change those engine settings that are permitted by the manufacturer. The owner or operator shall also meet the requirements of 40 CFR 89, 94 and/or 1068 as applicable. [§60.4211(a)]
 - (c) The Permittee shall comply with the emission standards in Condition (B)(2) by purchasing an engine certified to the emission standards in Condition (B)(2) for the same model year and maximum engine power. The engine shall be installed and configured according to the manufacturer's emission related specifications. [40CFR 60.4211(c)]
 - (d) In order for the engines 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.
 - (i) There is no time limit on the use of emergency stationary ICE in emergency situations.
 - (ii) The Permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraphs i., below, for a maximum of 100 hours per calendar

year.

- (a) 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 Permittee 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 Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

- (iii) Emergency stationary ICE may be operated for up to 50 hours per calendar year in nonemergency 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 (b) of this condition. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. 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; and
 - (e) The Permittee 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 Permittee.

- (e) To assure compliance, the Permittee shall perform inspections and maintenance on the engine 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) onsite and made available to an authorized representative upon request. The logbook shall record the following:
 - (i) the date and time of each recorded action;
 - (ii) the results of each inspection;
 - (iii) the results of any maintenance performed on the engine;
 - (iv) any variance from manufacturer's recommendations, if any, and corrections made;
 - (v) the hours of operation of the engine in emergency and non-emergency service. [40 CFR

60.4214(b)]

(vi) 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 CFR60.4214(c)]; and

(vii) documentation from the manufacturer that the engine is certified to meet the emission standards in condition c.

(f) Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if the requirements in conditions (a) through (f) are not met.

(4) **Reporting** [AB Air Quality Code 4.1111 & 17.0508(f) & 40 CFR 63.6625]

(a) If the Permittee operates an emergency stationary that is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in Paragraph (3)(d)(ii) or (iii), above, the Permittee shall submit an annual report according to the requirements at 40 CFR 60.4214(d). This report must be submitted to the Director of the Agency and the EPA. [40 CFR 60.4214(d)].

(C) **AB Air Quality CODE 4.0521 – CONTROL OF VISIBLE EMISSIONS**

(1) **Emission Limitation/Standard** [AB Air Quality Code 4.0521d) & 17.0508(b)]
Visible emissions from the these sources 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.

2.5 – Emission IDs CTWR1 and CTWR2

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

| Regulated Pollutant | Limits / Standards | Applicable Regulation |
|---------------------|----------------------------|---|
| Particulate matter | $E = 55.0*(P)^{0.11} - 40$ | AB Air Quality Code 4.0515 |
| Particulate matter | See Section 2.6 | AB Air Quality Code 4.0530 Actuals PAL |

(A) **AB Air Quality CODE 4.0515 – PARTICULATES FROM MISCELLANEOUS INDUSTRIAL PROCESSES**

(1) **Emission Limitation/Standard** [AB Air Quality Code 4.0515(a) & 17.0508(b)]
Emissions of particulate matter from the cooling towers, CTWR1 and CTWR2, shall not exceed an allowable emission rate as calculated by the following equation:

$$E = 55.0*(P)^{0.11} - 40 \quad \text{Where } E = \text{allowable emission rate in pounds per hour}$$

$$P = \text{process weight in tons per hour}$$

2.6 – Plantwide Applicability Limits

(A) **Emission Limitation/Standard Particulate Matter (PM) and (PM-10)**

(1) **Emission Limitation/Standard** [AB Air Quality Code 4.0530; 40 CFR 51.166(w)(7)]

- (a) The following Actuals Plantwide Applicability Limitations (Actuals PAL) shall not be exceeded:

| Actuals Plantwide Applicability Limitations | |
|--|--|
| PAL Pollutant | PM |
| Actuals PAL | Plantwide actual PM emissions shall not exceed 108 tons per consecutive 12-month rolling period. |
| PAL Pollutant | PM-10 |
| Actuals PAL | Plantwide actual PM-10 emissions shall not exceed 98 tons per consecutive 12-month rolling period. |
| Effective Date | June 1, 2020 |
| Expiration Date | May 31, 2030 |
| PAL Emissions Units | Unit 5, Unit 7, Unit 3 IC Turbine, Unit 4 IC Turbine AuxBoiler, DPH1A & DPH1B, CTWR1 & CTWR2 Emergency Generators 2, 3, 4, 5 and Fire Pump Engine 2 Heat 1 Other Sources: 18, 28, 29, 30 |

- (b) The definition of major modification at 40 CFR 51.166(b)(2) shall not apply with respect to particulate matter and PM-10 when the source is complying with the requirements under paragraph 40 CFR 51.166(w). Pursuant to 40 CFR 51.166(w)(2)(viii), a PAL major modification means any physical change in or change in the method of operation of the source that causes it to emit the PAL pollutant (PM and/or PM10) at a level equal to or greater than the PAL. The Permittee may make modifications or additions to the PAL emission units in 2.6(A)(1) (a) above, without requiring a modification of the PAL provisions of this permit if the emissions from the modified or additional emissions units will be calculated according to the monitoring methods specified in 2.6(A)(3) below and if the facility-wide actual emissions of the PAL pollutant do not exceed the PAL level specified in 2.6(A)(1)(a) above.
- (c) If the Permittee applies to renew the PAL permit in accordance with 40 CFR 51.166(w)(10) before the end of the PAL effective period, then the PAL permit shall not expire at the end of the PAL effective period. It shall remain in effect until a revised PAL permit is issued. [40 CFR 51.166(w)(7)(iii)]
- (d) Once the PAL expires, the Permittee is subject to the requirements in 40 CFR 51.166(w)(9). Upon PAL permit expiration, the AB Air Quality shall decide whether and how the PAL allowable emissions will be distributed and issue a revised permit incorporating allowable limits for each PAL emissions unit, as the AB Air Quality determines is appropriate. The AB Air Quality will retain the ultimate discretion to decide whether and how the allowable emissions will be allocated. [40 CFR 51.166(w)(7)(v)]

(2) **Testing** [AB Air Quality Code 4.2609; 40 CFR §51.166(w)(12)(vi)]

- (a) The Permittee shall conduct a performance test, in accordance with General Condition JJ of Part I of this permit, by May 11, 2022 on Units 3 and 4 to validate the PM emission factors used in establishing the PAL. The emission factor shall be determined during the performance test at or near maximum representative operating conditions in accordance AB Air Quality Code 4.2600 “Source Testing” including a test protocol in accordance with 4.2603. Unless otherwise provided for in the test protocol, a separate test shall be conducted both when firing natural gas and No. 2 fuel oil for each operating mode. Based on the three-run arithmetic average result of the emission factor, the Agency will notify the Permittee if a revision to the PAL is required as described in (d) below.
- (b) No additional testing is required at this time; however, the AB Air Quality reserves the right to require appropriate testing at any time. If emission testing is required, the testing shall be performed in accordance with AB Air Quality Code 4.2609 and General Condition JJ. If the results of this testing indicate that the PM or PM-10 emissions on a 12-month rolling basis have exceeded the actual PAL in Section 2.6.A(1) above, the Permittee shall be deemed in noncompliance with Chapter 4 .0530.
- (c) The Permittee shall revalidate the emission factors and any other data used in Section 2.6.A(3) below for calculations of PM and PM-10 emissions through performance testing or other scientifically valid means approved by the AB Air Quality. The Permittee shall perform such revalidation once every five years after the issuance of the PAL permit (Permit No. 11-628B issued May 18, 2020), in accordance with General Condition JJ. If the Permittee does not perform this revalidation, the Permittee shall be deemed in noncompliance with Chapter 4 .0530.
- (d) If any emission factors or methods included in the monitoring provision in subparagraph 3 below are revised, the applicable provision of the PAL permit may be modified through a modification to the permit to reflect the results. If the emission factor to be revised is based on an AB Air Quality-approved stack test, the permit may be modified through the an administrative amendment in accordance to General Condition G.1. The Permittee shall not rely on the updated emission factor or method until they are approved by AB Air Quality and incorporated into the permit.
- (3) Monitoring/Recordkeeping [AB Air Quality Code 4.5030; 40 CFR 51.166(w)(12) & (13)]**
- (a) The Permittee shall keep records of the monthly PM and PM-10 emissions, including emissions from startups, shutdowns, and malfunctions, from each source listed below in a logbook (written or electronic). The Permittee shall be deemed in non-compliance with AB Air Quality Code 4.0530, if these records are not kept or if the limit in 2.6(A)(1)(a) is exceeded. Emissions, shall be determined as follows:

| Emission Unit ID | Unit Description | Method | Emission Factor Value | Emission Calculation Methodology |
|-------------------------|--|-----------------------|---|---|
| Unit 5 | Unit 5 - NG/NOx. Fuel oil fired simple/combined cycle combustion turbine | 10 - Site EF (Vendor) | 6.20 lb/hr (N.G.)(F+C) 39.7 lb/hr (Oil)(F+C) | Hours of Gas X Emission Factor Hours of Oil X Emission Factor |
| Unit 7 | Unit 7 - NG/NOx. Fuel oil fired simple/combined cycle combustion turbine | 10 - Site EF (Vendor) | 6.20 lb/hr (N.G.)(F+C) 39.7 lb/hr (Oil)(F+C) | Hours of Gas X Emission Factor Hours of Oil X Emission Factor |
| Unit 3 IC Turbine | Unit 3 IC Turbine AV3 - Natural gas / No.2 Oil Fired Simple Cycle Combustion Turbine (1,929 MM Btu/hr) | 10 - Site EF | 0.0076 lb/MMBtu (Oil) 0.003 lb/MMBtu (NG) | Heat Input Oil X Emission Factor Heat Input NG X Emission Factor |

| | | | | |
|-----------------------|--|--------------|--|---|
| Unit 4 IC Turbine | Unit 4 IC Turbine - AV4 - Natural gas / No.2 Oil Fired Simple Cycle Combustion Turbine (1,929 MM Btu/hr) | 10 - Site EF | 0.0076 lb/MMBtu (Oil) 0.003 lb/MMBtu (NG) | Heat Input Oil X Emission Factor Heat Input NG X Emission Factor |
| AuxBoiler | Aux Boiler - (Natural gas, 47.6 MMBtu/hr) | 8 - AP-42 | 7.6 lb/mmscf | Assume PTE = 1.63 tpy; Monthly = 1.55/12 = 0.13 tons per month |
| Emergency Generator 2 | Emergency Generator 2 (Blackstart, Diesel-fired 1,400 hp) | 8 - NSPS | 3.29E-4 lb/hp-hr | Assume PTE = 0.12 tpy; Monthly = 0.12/12 = 0.01 tons per month |
| Emergency Generator 3 | Emergency Generator 3 (Blackstart, Diesel-fired 1,400 hp) | 8 - NSPS | 3.29E-4 lb/hp-hr | Assume PTE = 0.12 tpy; Monthly = 0.12/12 = 0.01 tons per month |
| Emergency Generator 4 | One (1) 762 HP diesel-fired emergency generator for the water treatment system | 8 - AP-42 | 0.0007 lb/hp-hr | Assume PTE = 0.13 tpy; Monthly = 0.13/12 = 0.01 tons per month |
| Emergency Generator 5 | One (1) 142 HP diesel-fired emergency generator for the Landfill Leachate System | 8 - AP-42 | 0.0022 lb/hp-hr | Assume PTE = 0.08 tpy; Monthly = 0.08/12 = 0.006 tons per month |
| Fire Pump Engine 2 | Fire Pump Engine 2 (Diesel-fired 335 hp) | 8 - NSPS | 3.29E-4 lb/hp-hr | Assume PTE = 0.03 tpy; Monthly = 0.03/12 = 0.003 tons per month |
| DPH1A & DPH1B | Two Dew Point Heaters (Natural gas-fired 8.8 MMBtu/hr each) | 8 - AP-42 | 7.6 lb/mmscf | Assume PTE = 0.65 tpy; Monthly = 0.65/12 = 0.05 tons per month |
| CTWR1 & CTWR2 | Two Cooling Towers | 8 - AP-42 | 0.0005% Drift Rate | Assume PTE = 1.53 tpy; Monthly = 1.53/12 = 0.13 tons per month |
| Heat 1 | One (1) 4.00 million BTU per hour natural gas-fired gas heater | 8 - AP-42 | 7.6 lb/mmscf | Assume PTE = 0.07 tpy; Monthly = 0.07/12 = 0.006 tons per month |
| Other Sources | | | | |
| 18 | Ash handling /Ash pond / Landfill | 8 - AP-42 | 3.2E-3 lb/ton (all four transfer points) | Throughput X Emission Factor |
| 28 | Road Dust | 8 - AP-42 | Haul Road Calculations | Calculate Emissions Based on Truck Traffic |
| 29 | Four (4) 2.15 MMBtu/hr natural gas-fired turbine building heaters | 8 - AP-42 | 0.00745 lb/MMBtu | Assume PTE = 0.28; Monthly = 0.28/12 = 0.023 tons per month |
| 30 | One (1) 0.0808 MMBtu/hr natural gas-fired auxiliary boiler building heater | 8 - AP-42 | 0.00745 lb/MMBtu | Assume PTE = 0.03; Monthly = 0.03/12 = 0.003 tons per month |

- (b) The Emission Calculation Methodology listed in the table above shall be used to report actual emissions. The Permittee shall record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for a PAL emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit. Notwithstanding the foregoing, the Permittee may consider actual production or operating data in determining its emissions for such a period if the Permittee has written records of such data and if the data are substantially the same as or similar in form or content to the monitoring data required by the PAL permit. The Permittee shall be deemed in noncompliance with Chapter 4 .0530 if the Permittee does not comply with the requirements of this Section 2.6(A). [40 CFR 51.166(w)(12)(vii)]
- (c) The Permittee shall retain a copy of the following records on site, in written or electronic format, for the duration of the PAL effective period plus 5 years:

- (i) A copy of the PAL permit application and any applications for revisions to the PAL; and,
- (ii) Each annual certification of compliance pursuant to Title V and the data relied on in certifying the compliance. This requirement applies only to the data used to certify compliance with the terms of these PAL provisions.

The Permittee shall be deemed in noncompliance with Chapter 4. 0530 if these records are not maintained. [40 CFR 51.166(w)(7)(viii) and 51.166(w)(13)(ii)]

(4) Reporting [AB Air Quality Code 4.5030; 40 CFR 51.166(w)(14)]

The owner or operator shall submit monitoring reports and prompt compliance reports to the reviewing authority in accordance with the applicable Title V operating permit program. The reports shall meet the requirements in paragraphs 40 CFR 51.166(w)(14)(i) through (iii).

- (a) Semi-annual Report - A semi-annual report shall be submitted to the Director postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. This report shall contain the information required in paragraphs 51.166(w)(14)(i)(a) through (g).
 - (i) The identification of owner or operator and the permit number.
 - (ii) Total annual emissions (tons/year) based on a 12-month rolling total for each month in the reporting period recorded pursuant to 2.6(A)(3) and 40 CFR 51.166(w)(13)(i).
 - (iii) All data relied upon, including, but not limited to, any Quality Assurance or Quality Control data, in calculating the monthly and annual PAL pollutant emissions.
 - (iv) A list of any emissions units modified or added to the major stationary source during the preceding 6-month period.
 - (v) The number, duration, and cause of any deviations or monitoring malfunctions (e.g. other than the time associated with zero and span calibration checks), and any corrective action taken.
 - (vi) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by 40 CFR 51.166 (w)(12)(vii).
 - (vii) A signed statement by the responsible official (as defined by the applicable Title V operating permit program) certifying the truth, accuracy, and completeness of the information provided in the report.
- (b) Deviation report. The major stationary source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where no monitoring is available. A report submitted pursuant to 40 CFR 70.6(a)(3)(iii)(B) shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the applicable program implementing 40 CFR 70.6(a)(3)(iii)(B). The reports shall contain the following information:
 - (i) The identification of owner or operator and the permit number;

- (ii) The PAL requirement that experienced the deviation or that was exceeded;
 - (iii) Emissions resulting from the deviation or the exceedance; and
 - (iv) A signed statement by the responsible official (as defined by the applicable Title V operating permit program) certifying the truth, accuracy, and completeness of the information provided in the report.
- (c) Re-validation results. The owner and operator shall submit to the Director the results of any re-validation within three months after completion of such revalidation.

2.7 – Facility Wide

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 AB Air Quality Code. | AB Air Quality Code 17.0700 |

(A) AB Air Quality CODE 4.1100 – CONTROL OF TOXIC AIR POLLUTANTS (LOCAL ENFORCEABLE ONLY)

- (1) **Emission Limitation/Standard** [AB Air Quality Code 4.1100 & 17.0700]
The Permittee has demonstrated compliance with the following permit limits in accordance with the completed application received January 28, 2016. All toxic air pollutants (TAPs) covered in Chapter 4.1104 for all sources at the facility have been evaluated. Sources evaluated, excluding the sources exempt from evaluation under Chapter 17.0702, are listed below with the modeled emission rates. Modeled emission rates were optimized to represent worst case emissions.:

| Emission Source | Toxic Air Pollutant | Emission Limit(s) |
|-----------------|---------------------|-------------------|
| Heat 1 | Arsenic | 0.194 lb/yr |
| | Benzene | 6.36 lb/yr |
| | Beryllium | 0.323 lb/yr |
| | Cadmium | 1.54 lb/yr |
| | Chromium VI | 0.0111 lb/day |
| | Formaldehyde | 0.00656 lb/hr |
| | Manganese | 0.00110 lb/day |
| | Mercury | 0.00803 lb/day |
| | Nickel | 0.0246 lb/day |

- (2) **Emission Limitation/Standard** [AB Air Quality Code 4.1100 & 17.0700]
The facility shall be operated and maintained in such a manner that any new, existing or increased

actual emissions of any TAP listed in AB Air Quality Code 17.0711 or in this permit from all sources at the facility (excluding those sources exempt under AB Air Quality Code 17.0702 "Exemptions"), including fugitive emissions and emission sources not otherwise required to have a permit, will not exceed its respective TPER listed in AB Air Quality Code 17.0711 without first obtaining an air permit to construct or operate.

| Pollutant | TPER Limitations | | | |
|---------------------------|---------------------|----------------------------|----------------------------------|-------------------------|
| | Carcinogens (lb/yr) | Chronic Toxicants (lb/day) | Acute Systemic Toxicants (lb/hr) | Acute Irritants (lb/hr) |
| Acetaldehyde | | | | 6.8 |
| Benzo(a)pyrene | 2.2 | | | |
| Benzyl Chloride | | | 0.13 | |
| Carbon Disulfide | | 3.9 | | |
| Chlorobenzene | | 46 | | |
| Ethylene Dibromide | 27 | | | |
| Ethylene Dichloride | 260 | | | |
| n-Hexane | | 23 | | |
| Methyl Chloroform | | 250 | | |
| Methyl Ethyl Ketone | | 78 | | 22.4 |
| Methylene Chloride | 1,600 | | 0.39 | |
| Phenol | | | 0.24 | |
| Polychlorinated Biphenyls | 5.6 | | | |
| Styrene | | | 2.7 | |
| Toluene | | 98 | | 14.4 |
| Trichloroethylene | 4,000 | | | |
| Trichlorofluoromethane | | | 140 | |
| Vinyl Chloride | 26 | | | |
| Xylenes | | 57 | | 16.4 |

SECTION 3 - ACID RAIN PROGRAM REQUIREMENTS

ORIS code: 2706

(A) **Statement of Basis**

Statutory and Regulatory Authorities: In accordance with the provisions of Article 21B of Chapter 143, General Statutes of North Carolina, as amended, and Titles IV and V of the Clean Air Act, AB Air Quality issues this permit pursuant to AB Air Quality Code 17.0400 and 17.0500, and other applicable laws.

(B) **SO₂ Allowance Allocations and NO_x Reduction Requirements for Each Affected Unit**

The following table provides a summary of the Title IV applicable requirements for the emission source(s) at this facility:

| Emission Unit | Reduction Requirement | Applicability |
|---------------|-----------------------|---------------|
| | | |

| | | |
|---|---|---|
| Unit 3 IC Turbine, Unit 4 IC Turbine, Unit 5 and Unit 7 | SO ₂ Allowances under Table 2, 3, or 4 of 40 CFR Part 73 | SO ₂ allowances are not allocated by U.S. EPA for new units under 40 CFR Part 72. |
| | NO _x Limit | Does not apply for gas or oil-fired units. |

(C) **Comments, Notes, and Justifications**

None.

(D) **Permit Applications (Attached)**

The permit applications submitted for this facility, as approved by AB Air Quality, are part of this permit. The owners and operators of these Phase II acid rain sources must comply with the standard requirements and special provisions set forth in the following attached applications:

Acid Rain Permit Application dated October 20, 2020.

SECTION 4 - GENERAL CONDITIONS AND LIMITATIONS

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

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

- (1) Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in AB Air Quality 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 AB Air Quality.
- (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 AB Air Quality.
- (5) Except as identified as local-only requirements in this permit, all terms and conditions contained herein shall be enforceable by AB Air Quality, 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 AB Air Quality, unless the source is exempted by rule. AB Air Quality 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** [AB Air Quality 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 AB Air Quality upon request.

- (C) **Severability Clause** [AB Air Quality 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** [AB Air Quality 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 AB Air Quality.
- (E) **Duty to Comply** [AB Air Quality 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 [AB Air Quality Code 17.0514]
The Permittee shall submit an application for an administrative permit amendment in accordance with AB Air Quality Code 17.0514.
 - (2) Transfer of Ownership or Operation [AB Air Quality Code 17.0524 and 17.0505]
The Permittee shall submit an application for an ownership change in accordance with AB Air Quality Code 17.0524 and 17.0505.
 - (3) Minor Permit Modifications [AB Air Quality Code 17.0515]
The Permittee shall submit an application for a minor permit modification in accordance with AB Air Quality Code 17.0515.
 - (4) Significant Permit Modifications [AB Air Quality Code 17.0516]
The Permittee shall submit an application for a significant permit modification in accordance with AB Air Quality Code 17.0516.
 - (5) Reopening for Cause [AB Air Quality Code 17.0517]
The Permittee shall submit an application for reopening for cause in accordance with AB Air Quality 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 AB Air Quality:

- (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 AB Air Quality 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 [AB Air Quality 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 [AB Air Quality 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 [AB Air Quality Code 17.0523(c)]

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

(I.A) **Reporting Requirements for Excess Emissions and Permit Deviations** [AB Air Quality 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 AB Air Quality 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 (AB Air Quality Code 4.0524), NESHAPs (AB Air Quality 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 (AB Air Quality Code 4.0524), NESHAPs (AB Air Quality Code 4.1110 or 4.1111), or these rules do NOT define “excess emissions,” the Permittee shall report excess emissions in accordance with AB Air Quality Code 4.0535 as follows:
 - (a) Pursuant to AB Air Quality 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 AB Air Quality Code 4.0535(f)(3);

Permit Deviations

- (3) Pursuant to AB Air Quality 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 AB Air Quality 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 AB Air Quality Code 4.0535

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

- (1) Any excess emissions that do not occur during startup and shutdown 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 AB Air Quality Code 4.0535(c)(1) through (7).
- (2) AB Air Quality Code 4.0535(g). Excess emissions during startup and shutdown 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 AB Air Quality 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** [AB Air Quality 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 six months before the date of permit expiration. If the Permittee or applicant has complied with AB Air Quality Code 17.0512(b)(1), this AB Air Quality Code 17.0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under AB Air Quality Code 17.0400 terminates the facility's right to operate unless a complete AB Air Quality Code 17.0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 2Q .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** [AB Air Quality 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)** [AB Air Quality Code 17.0508(i)(9)]
- (1) The Permittee shall furnish to AB Air Quality, 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 AB Air Quality 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** [AB Air Quality 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 AB Air Quality. 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** [AB Air Quality 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 AB Air Quality representative for inspection upon request.
- (P) **Compliance Certification** [AB Air Quality Code 17.0508(n)]
The Permittee shall submit to AB Air Quality 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** [AB Air Quality 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** [AB Air Quality 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 AB Air Quality 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 AB Air Quality Code 17.0523.
- (4) A permit shield does not extend to minor permit modifications made under AB Air Quality Code 17.0515.

(S) **Termination, Modification, and Revocation of the Permit** [AB Air Quality 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** [AB Air Quality 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 AB Air Quality representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

(U) **Property Rights** [AB Air Quality 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** [AB Air Quality 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 AB Air Quality, 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 AB Air Quality 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** [AB Air Quality Code 17.0508(i)(10)]

- (1) The Permittee shall pay all fees in accordance with AB Air Quality Code 17.0200.
- (2) Payment of fees may be by check or money order made payable to the Asheville-Buncombe 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 AB Air Quality Code 17.0519.

(X) **Annual Emission Inventory Requirements** [AB Air Quality Code 17.0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in AB Air Quality 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** [AB Air Quality Code 17.0107 and 17.0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to AB Air Quality 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 AB Air Quality Code 17.0107.

(Z) **Construction and Operation Permits** [AB Air Quality 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 AB Air Quality Code 17.0100 and 17.0300.

(AA) **Standard Application Form and Required Information** [AB Air Quality Code 17.0505 and 17.0507]

The Permittee shall submit applications and required information in accordance with the provisions of AB Air Quality Code 17.0505 and 17.0507.

- (BB) **Financial Responsibility and Compliance History** [AB Air Quality Code 17.0507(d)(4)]
AB Air Quality 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)** [AB Air Quality 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)** [AB Air Quality 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** [AB Air Quality 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** [AB Air Quality 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 AB Air Quality Code 4.0300.
- (HH) **Registration of Air Pollution Sources** [AB Air Quality 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 AB Air Quality Code 4.0202(b).
- (II) **Ambient Air Quality Standards** [AB Air Quality 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 AB Air Quality 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** [AB Air Quality Code 17.0508(i)(16)]

Emission compliance testing shall be by the procedures of AB Air Quality Code 4.2600, except as may be otherwise required in AB Air Quality Code 4.0524, 4.0912, 4.1110, 4.1111, or 4.1415. If emissions testing is required by this permit or AB Air Quality or if the Permittee submits emissions testing to AB Air Quality to demonstrate compliance, the Permittee shall perform such testing in accordance with AB Air Quality 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 AB Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the AB Air Quality using the appropriate testing procedures described in AB Air Quality Code 4.2600 has precedence over all other tests.

(KK) **Reopening for Cause** [AB Air Quality 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 AB Air Quality Code 17.0513(c).
- (3) Except for the local enforceable only portion of the permit, the procedures set out in AB Air Quality 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 AB Air Quality 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** [AB Air Quality 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** [AB Air Quality Code 4.0540] - LOCAL ENFORCEABLE ONLY

As required by AB Air Quality 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 AB Air Quality 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** [AB Air Quality Code 17.0501 and 17.0523]

- (1) For modifications made pursuant to AB Air Quality 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 AB Air Quality 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 AB Air Quality Code 17.0500 (except for AB Air Quality Code 17.0504) is obtained.
- (3) For modifications made pursuant to 502(b)(10), in accordance with AB Air Quality 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** [AB Air Quality 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 15A NCAC 2Q .0518 begins at the end of the 45-day EPA review period.

ATTACHMENT

List of Insignificant Activities Under AB Air Quality Code 17.0503(8)

| Emission Source ID | Emission Source Description |
|---------------------------|--|
| 1 | Two (2) 1,804,000-gallon capacity aboveground No. 2 fuel oil storage tanks |
| 8 | Two (2) 6,200-gallon capacity lube oil tanks |
| 9 | Two (2) 250-gallon capacity false start drain tanks |
| 17 | One (1) 500-gallon capacity mobile diesel fuel storage tank |
| 18* | Ash handling /Ash pond / Landfill |
| 23 | Two (2) 400 gallon capacity 19% aqueous ammonia stainless steel totes for Auxiliary Boiler Chemical Addition |
| 25 | Two (2) 22,000 gallon capacity 19% aqueous ammonia storage tank sized for 168 hours full duct-fired load for SCR Injection |
| 26 | One (1) 1,250,000-gallon capacity aboveground No. 2 fuel oil storage tank |
| 28* | Road Dust |
| 29* | Four (4) 2.15 MMBtu/hr natural gas-fired turbine building heaters |
| 30* | One (1) 0.808 MMBtu/hr natural gas-fired auxiliary boiler building heater |
| 32 | One (1) 500-gallon double wall diesel tank for use in the fuel containment area |
| 33 | One (1) 500-gallon double wall gasoline tank for use in the fuel containment area |
| 34 | One (1) 500-gallon kerosene fuel tank |
| 35 | One (1) portable 250-gallon fuel tank |
| 36 | Two (2) 6,150-gallon storage tank for CT Lube Oil |
| 37 | Two (2) 900-gallon No. 2 diesel fuel tanks for EMG |
| 38 | One (1) 460-gallon No. 2 diesel fuel storage tank for emergency fire pump |
| 39 | Two (2) 12,500-gallon storage tanks for ST Lube Oil |
| 40 | Two (2) 230-gallon storage tanks for Electric Hydraulic Control Oil |
| 41 | One (1) 460-gallon No. 2 diesel fuel storage tank for emergency fire pump |
| 42 | Two (2) 2000-gallon diesel drain tank for false start |
| 43 | Two (2) 300-gallon drain tanks for fuel gas condensate |
| 45 | One (1) 500-gallon kerosene fuel tank for use in the fuel oil containment area |

*Emissions source is subject to Actuals Plantwide Applicability Limitations (Actuals PAL) for PM and PM-10.

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 |
| CSAPR | Cross State Air Pollution Rule |
| 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 |
| PAL | Plantwide Applicability Limitation |
| PM | Particulate Matter |
| PM₁₀ | 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 |
| PTE | Potential to Emit |
| RICE | Reciprocating Internal Combustion Engine |
| SI | Spark Ignition |
| SIC | Standard Industrial Classification |
| SIP | State Implementation Plan |
| SO₂ | Sulfur Dioxide |
| TAP | Toxic Air Pollutant |
| TPY | Tons Per Year |
| VOC | Volatile Organic Compound |
| AB Air Quality | Asheville-Buncombe Air Quality Agency |