



March 26, 2025

Mr. James Wilkins
Vice President, Energy Portfolio
North Carolina Electric Membership Corporation - Anson Plant
3400 Sumner Boulevard
Raleigh, North Carolina 27616

SUBJECT: Air Quality Permit No. 09492T11
Facility ID 0400050
North Carolina Electric Membership Corporation - Anson Plant
Lilesville
Anson County
Fee Class: Title V
PSD Class: Major

Dear Mr. Wilkins:

In accordance with your completed Air Quality Permit Applications for the renewal of the Title V permit and for renewal of the Phase II Acid Rain Permit, we are forwarding herewith Air Quality Permit No. 09492T11 authorizing the construction and operation, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been identified as such in the permit. Please note the requirements for the annual compliance certification are contained in General Condition P in Section 4. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to file a petition for contested case hearing in the North Carolina Office of Administrative Hearings. Information regarding the right, procedure, and time limit for permittees and other persons aggrieved to file such a petition is contained in the attached "Notice Regarding the Right to Contest A Division of Air Quality Permit Decision."

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to existing emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to



construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Anson County has not triggered increment tracking under PSD for any pollutants. This renewal does not consume or expand increments for any pollutants.

This Air Quality Permit shall be effective from March 26, 2025 until February 28, 2030, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Booker T. Pullen at 919-707-5452 or booker.pullen@deq.nc.gov.

Sincerely yours,



Mark J. Cuilla, EIT, CPM, Chief, Permitting Section
Division of Air Quality, NCDEQ

Enclosure

c: Brad Akers, EPA Region 4 (Permit and Review)
Laserfiche (0400050)

NOTICE REGARDING THE RIGHT TO CONTEST A DIVISION OF AIR QUALITY PERMIT DECISION

Right of the Permit Applicant or Permittee to File a Contested Case: Pursuant to NCGS 143-215.108(e), a permit applicant or permittee who is dissatisfied with the Division of Air Quality's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 30 days after the Division notifies the applicant or permittee of its decision. If the applicant or permittee does not file a petition within the required time, the Division's decision on the application is final and is not subject to review. The filing of a petition will stay the Division's decision until resolution of the contested case.

Right of Other Persons Aggrieved to File a Contested Case: Pursuant to NCGS 143-215.108(e1), a person other than an applicant or permittee who is a person aggrieved by the Division's decision on a permit application may commence a contested case by filing a petition under NCGS 150B-23 within 30 days after the Division provides notice of its decision on a permit application, as provided in NCGS 150B-23(f), or by posting the decision on a publicly available Web site. The filing of a petition under this subsection does not stay the Division's decision except as ordered by the administrative law judge under NCGS 150B-33(b).

General Filing Instructions: A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at <https://www.oah.nc.gov/hearings-division/filing/hearing-forms>. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

Service Instructions: A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

Daniel S. Hirschman, General Counsel
North Carolina Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the permittee or permit applicant, the party **must also** serve the permittee in accordance with NCGS 150B-23(a).

* * *

Additional information is available at <https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case>. Please contact the OAH at 984-236-1850 or oah.postmaster@oah.nc.gov with all questions regarding the filing fee and/or the details of the filing process.

Summary of Changes to Permit

The following changes were made to Air Permit No. 09492T10:*

Page(s)	Section in T11	Description of Changes
Page 1	Cover Letter	<ul style="list-style-type: none"> Updated letterhead and permit using new permit shell. Updated permit revision numbers and dates throughout.
Page 2	Cover Letter	<ul style="list-style-type: none"> Changed engineer's name and contact information to Booker T. Pullen
Page 3	Cover Letter	<ul style="list-style-type: none"> Added page containing "Notice Regarding The Right to Contest A Division Of Air Quality Permit".
Page 4	Cover Letter	<ul style="list-style-type: none"> Revised the Summary of Changes to the Permit.
Page 1 of Permit	Permit	<ul style="list-style-type: none"> Changed Permit number, changed "Replaces Permit" number, changed effective date of Permit, revised the application number and the complete application date.
Page 2	Permit	<ul style="list-style-type: none"> Revised the "Table of Contents" to reflect the most current shell language/format. Placed "Acid Rain Permit Requirements", "Cross State Air Pollution Rules", and the PFAS "State-enforceable only" disclosure statement un the heading "Other Applicable Requirements" under the heading "Other Applicable Requirements".
Page 3	Permit	<ul style="list-style-type: none"> Added the List of Acronyms.
Page 4	Permit, Section 1	<ul style="list-style-type: none"> Revised the descriptions for "NSPS" and "PSD" under the Emission Source ID Nos. Added regulations 15A NCAC 02D .1418 and 02D .1425.
Page 5	Permit, Section 2.1	<ul style="list-style-type: none"> Added regulations 15A NCAC 02D .1418 and 02D .1425.
Page 13	Permit, Section 2.2	<ul style="list-style-type: none"> Changed Section 2.2 to "Other Applicable Requirements" and added "Phase II Acid Rain Permit Requirements", "Cross State Air Pollution Rules (CSAPR) Permit Requirements", and the PFAS Disclosure Statement under this Section.
Page 14	Permit, Section 2.3	<ul style="list-style-type: none"> Changed Section 2.4 to 2.3 "Permit Shield for Non-applicable Requirements".
Page 15	Permit, Section 2.2	<ul style="list-style-type: none"> Added Section 3.0 "Insignificant Activities".
Pages 16 - 24	Permit, Section 4.0	<ul style="list-style-type: none"> Added the most current version of General Conditions (version 8.0, 7/10/2024).
Page 18	Permit, Section 4.0	<ul style="list-style-type: none"> Removed Condition J from General Conditions (version 8.0, 7/10/2024).
Page 25	Permit	<ul style="list-style-type: none"> Added the Acid Rain Permit Application as an attachment.

* This list is not intended to be a detailed record of every change made to the permit but a summary of those changes.



State of North Carolina
Department of Environmental Quality
Division of Air Quality

AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
09492T11	09492T10	March 26, 2025	February 28, 2030

NOTE: Per General Condition K, a permit application for the renewal of this Title V permit shall be submitted no later than August 28, 2029.

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee: North Carolina Electric Membership Corporation
- Anson Plant
Facility ID: 0400050
Primary SIC Code: 4911
NAICS Code: 221112

Facility Site Location: 749 Blewett Falls Road
City, County, State, Zip: Lilesville, Anson County, North Carolina 28091

Mailing Address: 3400 Summer Boulevard
City, State, Zip: Raleigh, North Carolina 27616

Application Number(s): 0400050.24A, 0400050.24B
Complete Application Date(s): 10/15/2024, 10/15/2024

Division of Air Quality,
Regional Office Address: Fayetteville Regional Office
225 Green Street, Suite 714
Fayetteville, North Carolina 28301

Permit issued this the 26th day of March, 2025.

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

Table of Contents

LIST OF ACRONYMS

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

SECTION 2: SPECIFIC LIMITATIONS AND CONDITIONS

- 2.1 Emission Source(s) Specific Limitations and Conditions (Including specific requirements, testing, monitoring, recordkeeping, and reporting requirements)
- 2.2 Other Applicable Requirements
 - Phase II Acid Rain Permit Requirements
 - Cross State Air Pollution Rules (CSAPR) Permit Requirements
 - Disclosure of Information Relating to Emissions of Fluorinated Chemicals
- 2.3 Permit Shield for Non-applicable Requirements

SECTION 3: INSIGNIFICANT ACTIVITIES PER 15A NCAC 02Q .0503(8)

SECTION 4: GENERAL PERMIT CONDITIONS

ATTACHMENT 1 – Acid Rain Application signed October 8, 2024 (five pages)

List of Acronyms

AOS	Alternative Operating Scenario
BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
Btu	British thermal unit
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CEDRI	Compliance and Emissions Data Reporting Interface
CFR	Code of Federal Regulations
CO	Carbon Monoxide
COMS	Continuous Opacity Monitoring System
CSAPR	Cross-State Air Pollution Rule
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
GHGs	Greenhouse Gases
HAP	Hazardous Air Pollutant
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
NAA	Non-Attainment Area
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
OAH	Office of Administrative Hearings
PAE	Projected Actual Emissions
PAL	Plantwide Applicability Limitation
PM	Particulate Matter
PM_{2.5}	Particulate Matter with Nominal Aerodynamic Diameter of 2.5 Micrometers or Less
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
TAP	Toxic Air Pollutant
tpy	Tons Per Year
VOC	Volatile Organic Compound

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

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

Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
ES-1A and ES-1B ES-2A and ES-2B ES-3A and ES-3B ES-4A and ES-4B ES-5A and ES-5B ES-6A and ES-6B NSPS KKKK, PSD BACT	Twelve Pratt & Whitney FT Swift-Pac simple cycle gas turbines (300 million Btu per hour nominal heat input capacity when firing natural gas, and 281 million Btu per hour nominal heat input when firing No. 2 fuel oil), including one generator per pair of turbines.	CD-1A, CD-1B CD-2A, CD-2B CD-3A, CD-3B CD-4A, CD-4B CD-5A, CD-4B CD-6A, CD-6B	Water injection system (one system per turbine)

SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

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

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

- A. Twelve natural gas/No. 2 fuel oil-fired simple-cycle gas turbines (ID Nos. ES-1A and 1B through ES-6A and 6B) each equipped with a water injection system (ID Nos. CD-1A and 1B through CD-6A and 6B), including one generator per pair of turbines.**

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

Pollutant	Limits/Standards	Applicable Regulations
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Sulfur dioxide	<ul style="list-style-type: none"> Any fuel: Not to exceed total sulfur dioxide emission of 0.06 pounds per million Btu heat input: OR Exit gases: Not to discharge sulfur dioxide emission in excess of 0.90 pounds per megawatt-hour gross output. 	15A NCAC 02D .0524 (40 CFR Part 60, Subpart KKKK)
	Phase II Acid Rain permit requirements Section 2.2A	15A NCAC 02Q .0402 (40 CFR Part 72)
	Cross State Air Pollution Rule Requirements Section 2.2B	40 CFR Part 97, Subpart CCCCC
Nitrogen oxides	No. 2 fuel oil: 74 parts per million at 15 percent O ₂ (4-hour rolling average)	15A NCAC 02D .0524 (40 CFR Part 60, Subpart KKKK)
	Natural gas: 25 parts per million at 15 percent O ₂ (4-hour rolling average)	
	Less than 245 tons per consecutive 12 months	15A NCAC 02Q .0317 of 02D .0530 (PSD Avoidance)
	Phase Acid Rain permit requirements See Section 2.2A	15A NCAC 02Q .0402 (40 CFR Part 72)
	Cross State Air Pollution Rule Requirements Section 2.2B	40 CFR Part 97, Subpart AAAAA
	State-enforceable only Less than 0.15 pounds per million Btu heat input when firing natural gas and less than 0.18 pounds per million Btu heat input when firing oil during the ozone season	15A NCAC 02D .1418
	State-enforceable only Annual NO _x report	15A NCAC 02D .1425
Carbon monoxide	<ul style="list-style-type: none"> Hours of operation (hours represent nonstartup/shutdown periods): <ul style="list-style-type: none"> Limit of 1,230 hours per year per turbine maximum operation when firing natural gas, and Limit of 710 hours per year per turbine when firing No. 2 fuel oil (less than or equal to 0.002 percent sulfur by weight) BACT emission limits See Section 2.1 A.4.) 	15A NCAC 02D .0530 (PSD)

1. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from each of the twelve gas turbines (**ID Nos. ES-1A and B through ES-6A and B**) 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.

Testing [15A NCAC 02Q .0508(f)]

- b. If emission testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for visible emissions from the firing of natural gas and/or No. 2 fuel oil in any turbine (**ID Nos. ES-1A and B through ES-6A and B**).

**2. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS
(40 CFR Part 60, Subpart KKKK – Sulfur Dioxide [SO₂])**

- a. The Permittee shall comply with all applicable provisions, including the notification, testing, recordkeeping, and monitoring requirements contained in 15A NCAC 02D .0524 "New Source Performance Standards" (NSPS), as promulgated in 40 CFR Part 60, Subpart KKKK "Standards of Performance for Stationary Combustion Turbines", including Subpart A "General Provisions".

Emission Limitations [40 CFR 60.4330(a)(1) and (2) and 60.4333]

- b.
 - i. The Permittee shall not cause to be discharged into the atmosphere from any combustion turbine any gases which contain SO₂ in excess 0.90 pounds per megawatt-hour (lb/MWh) gross output, or
 - ii. The Permittee shall not burn in any of the combustion turbines, fuels that contain total potential sulfur dioxide emissions in excess of 0.06 pounds per million Btu heat input (lb/MMBtu), or
- c. The Permittee shall operate each combustion turbine and associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.

Testing [15A NCAC 02Q .0508(f), 40 CFR 60.4415]

- d. The Permittee has completed initial performance testing required by 40 CFR 60.4415(a).¹
- e. The Permittee shall conduct subsequent performance tests no more than 14 calendar months from the previous test. The test shall be conducted in one of three ways:
 - i. Periodically determine the sulfur content of the fuel. If the Permittee chooses this option, the Permittee shall use the methods specified in 40 CFR 60.4415(a)(1).
 - ii. Measure the SO₂ concentration in the exhaust using one of the methods specified in 40 CFR 60.4415(a)(2).
 - iii. Measure the SO₂ and diluent gas concentrations using one of the methods specified in 40 CFR 60.4415(a)(3).
- f. Emission testing shall be conducted in accordance with General Condition JJ.

If the results of emission testing are above the limit given in Section 2.1 A.2.b above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

Monitoring [15A NCAC 02Q .0508(f), 40 CFR 60.4360, .4365, and .4370]

- g. The Permittee shall monitor the total sulfur content of the fuel being fired in each turbine using the testing methods listed in Section 2.1 A.2.e above. If, during the most recent performance test, the sulfur content of the gaseous fuel was less than half of the applicable limit, the Permittee may use the methods listed in 40 CFR 60.4360 for the gaseous fuel.
- h. The Permittee may elect to not monitor the total sulfur content of the fuel, as required by Section 2.1 A.1.g above if the fuel is demonstrated to not exceed the emission limit in Section 2.1 A.2.b.ii above. In order to make this demonstration, the Permittee must use either:

¹ Initial testing was completed on April 3-6, 2007 (test reference number 2007-009ST).

- i. A valid purchase contract, tariff sheet, or transportation contract for the fuel. These must specify that the maximum total sulfur content is less than:
 - A. 0.05% by weight (500 ppmw) for oil, and
 - B. 20 grains of sulfur per 100 standard cubic feet for gas.
- ii. Representative fuel sampling data which demonstrates that the sulfur content of the fuel does not exceed the emission limit in Section 2.1 A.2.b.ii. above. At a minimum, the amount of fuel sampling specified in Sections 2.3.1.4. or 2.3.2.4. of 40 CFR Part 75, Appendix D (Appendix D) is required.
- i. When determining the sulfur content of the fuel, the frequency shall be as follows:
 - i. *Fuel oil*: The Permittee shall choose one of the sampling options and associated frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D.
 - ii. *Gaseous fuel*: If the Permittee elects not to demonstrate sulfur content using the options in Sections 2.1 A.1.h.i or h.ii, above, and the gaseous fuel is supplied without intermediate bulk storage, the sulfur content must be determined and recorded once per unit operating day.
 - iii. *Custom schedules*: Notwithstanding the requirements of Section 2.1 A.1.i.ii, above, the Permittee may develop a custom schedule for determining the total sulfur content of the gaseous fuel. The custom schedule must be approved by the Administrator and meet the requirements of 40 CFR 60.4370(c).

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the monitoring requirements in Sections 2.1 A.2.g through i above are not completed or if they show an exceedance of the emission limit in Section 2.1 A.2.b above.

Excess Emissions and Monitor Downtime [40 CFR 60.4385]

- j. If the Permittee chooses the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as:
 - i. For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, 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.
 - ii. If the option to sample each delivery of fuel oil has been selected, the Permittee must immediately switch to one of the other oil sampling options if the sulfur content of a delivery exceeds 0.05% by weight (500 ppmw). 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 Section 2.1 A.2.j.i above.
 - iii. 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.

Recordkeeping [15A NCAC 02Q .0508(f)]

- k. The results of all monitoring activities, required by Section 2.1 A.2.g through j above, shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request.
 - l. All records shall specify which options the Permittee has chosen to demonstrate compliance with the emission limits, testing requirements, and monitoring requirements.
- The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if these records are not maintained.

Reporting [15A NCAC 02Q .0508(f) and 40 CFR 60.4375]

- m. The Permittee shall submit reports of excess emissions and monitor downtime in accordance with 40 CFR 60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction. Excess emissions and monitor downtime are defined by 40 CFR 60.4385.
- n. The Permittee shall submit a summary report of monitoring and recordkeeping activities required by Sections 2.1 A.2.g through l above, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**3. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS
(40 CFR Part 60, Subpart KKKK – Nitrogen Oxides [NOx])**

- a. The Permittee shall comply with all applicable provisions, including the notification, testing, recordkeeping, and monitoring requirements contained in 15A NCAC 02D .0524 "New Source Performance Standards", as promulgated in 40 CFR Part 60, Subpart KKKK "Standards of Performance for Stationary Combustion Turbines", including Subpart A "General Provisions".

Emission Limitations [40 CFR 60.4325, 60.4333, and Table 1 to 40 CFR Part 60, Subpart KKKK]

- b.
 - i. The Permittee shall not cause to be discharged into the atmosphere from any combustion turbine any gases which contain NOx emissions in excess of 25 ppm at 15 percent O₂ (4-hour rolling average) when firing more than 50 percent natural gas and/or
 - ii. The Permittee shall not cause to be discharged into the atmosphere from any combustion turbine any gases which contain NOx emissions in excess of 74 ppm at 15 percent O₂ (4-hour rolling average) when firing more than 50 percent No. 2 fuel oil.
- c. The Permittee shall operate each combustion turbine and associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.

Testing [15A NCAC 02Q .0508(f), 40 CFR 60.4400(a), and Appendix E to 40 CFR Part 75]

- d. The Permittee has completed initial performance testing required by 40 CFR 60.4400(a).²
- e. When the Permittee is demonstrating compliance by using the optional NOx emissions estimation allowed by 40 CFR Part 75, Appendix E, the Permittee shall retest the NOx emission rate while combusting each type of fuel (or fuel mixture) for which a NOx emission rate versus heat input rate correlation curve was derived, at least once every 20 calendar quarters. Each time that a new fuel-specific correlation curve is derived from retesting, the new curve shall be used to report NOx emission rate, beginning with the first operating hour in which the fuel is combusted, following the completion of the retest. The retests shall be conducted according to the procedures in 40 CFR Part 75, Appendix E, Section 2.
- f. When the Permittee is demonstrating compliance by using the continuous monitoring system allowed by 60.4335(a) or by using the continuous emission monitoring system (CEMS) allowed by 60.4335(b), the Permittee shall conduct subsequent performance tests no more than 14 calendar months following the previous performance test.
- g. If additional emission testing is required, the testing shall be performed in accordance with General Condition JJ.

If the Permittee does not conduct the emission testing required by Sections 2.1 A.3.d through g above, or the results of the required emission testing are above the limit given in Section 2.1 A.3.b above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

Monitoring/Recordkeeping [15A NCAC 02Q .0508(f), 40 CFR 60.4335, 60.4340, 60.4345, 60.4350, and 60.4355 and Appendix E to 40 CFR Part 75]

- h. The Permittee shall choose to monitor NOx emissions by:
 - i. Using a continuous monitoring system to monitor parameters as listed in 40 CFR 60.4335(a); or
 - ii. Using a continuous emission monitoring system (CEMS) per 40 CFR 60.4335(b); or
 - iii. Follow the requirements of 40 CFR Part 75, Appendix E "Optional NOx Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units" (Appendix E).³
- i. When the Permittee is following the requirements of Appendix E:
 - i. Each turbine using the Optional Protocol must meet the definition of "Peaking Unit" as defined in 40 CFR 72.2: "A unit that has an average capacity factor of no more than 10.0 percent during the previous three calendar years and a capacity factor of no more than 20.0 percent in each of those calendar years."
 - ii. The Permittee shall monitor and record for each hour the unit is combusting fuel:
 1. The time;
 2. The load on the unit;
 3. Fuel flow rate;

² Ibid.

³ The Permittee has historically chosen the methods in Appendix E as the compliance demonstration method.

4. Heat input rate for each fuel combusted to the nearest 0.1 MMBtu/hr; and
5. Any additional operating parameters chosen in accordance with Appendix E, Section 2.3.1.
- iii. Determine and record the hourly NO_x emission rate using the procedures in Appendix E, Section 2.4.
- iv. In the event of missing data or an operating parameter outside the limits determined by testing, the Permittee shall use the procedures in 40 CFR Part 75, Appendix E, Section 2.5 to determine the hourly NO_x emission rate.
- v. The Permittee shall develop and record a QA plan as described in Appendix E, Section 2.3.
- vi. The Permittee shall keep records of average capacity factor for each unit for the current and the previous three years in order to demonstrate that each unit meets the definition of "Peaking Unit".

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the monitoring and recordkeeping requirements in Sections 2.1 A.3.h and i above are not completed or if they show an exceedance of the emission limit in Sections 2.1 A.3.b above.

Excess Emissions and Monitor Downtime [40 CFR 60.4380]

- j. When the Permittee is demonstrating compliance with the emission limits by using parameter monitoring as allowed by 40 CFR 60.4335(a), periods of excess emissions and monitor downtime that must be reported are defined by 40 CFR 60.4380(a).
- k. When the Permittee is demonstrating compliance with the emission limits by using a NO_x CEMS, periods of excess emissions and monitor downtime that must be reported are defined by 40 CFR 60.4380(b).
- l. When the Permittee is demonstrating compliance with the emission limits by using the provisions of Appendix E, periods of excess emissions and monitor downtime that must be reported are defined by the same conditions as for a NO_x CEMS.

Reporting [15A NCAC 02Q .0508(f), 40 CFR 60.4375 and 40 CFR Part 75, Appendix E]

- m. The Permittee shall submit reports of excess emissions and monitor downtime in accordance with 40 CFR 60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction. Excess emissions and monitor downtime are defined by 40 CFR 60.4380.
- n. The Permittee shall submit a summary report of monitoring and recordkeeping activities in Sections 2.1 A.3.h through l above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

4. 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

- a. In order to comply with the best available control technology ("BACT") determination pursuant to 15A NCAC 02D .0530, the Permittee shall:
 - i. Control carbon monoxide ("CO") emissions from the natural gas/No. 2 fuel oil-fired turbines (**ID Nos. ES-1A and 1B through ES-6A and 6B**) such that total emissions of CO shall not exceed 405.5 tons per consecutive 12-month period.
 - ii. Limit the hours of operation of each turbine (hours represent non startup/shutdown periods) to no more than:
 - A. 1,230 hours per year when firing natural gas, and
 - B. 710 hours per year when firing No. 2 fuel oil ($\leq 0.002\%$ sulfur by weight)
 - iii. Limit the emission rate of CO to the BACT given in Tables 1 and 2, below:

Table 1: CO limits while firing natural gas									
Combustion turbine load	Less than or equal to 100%, but greater than 75%			Less than or equal to 75%, but greater than 50%			Less than or equal to 50%		
Ambient temperature (°F)	32	59	90	32	59	90	32	59	90
BACT (lb/hr)	61.12	45.48	43.82	79.74	64.5	48.05	78.85	63.34	57.72

Table 2: CO limits while firing No. 2 fuel oil ($\leq 0.002\%$ sulfur by weight)									
Combustion turbine load	Less than or equal to 100%, but greater than 75%			Less than or equal to 75%, but greater than 50%			Less than or equal to 50%		
Ambient temperature (°F)	32	59	90	32	59	90	32	59	90
BACT (lb/hr)	13.27	10.25	8.83	16.11	12.52	10.11	18.97	15.21	12.07

Testing [15A NCAC 02Q .0508(f)]

- b. If additional emission testing is required, the testing shall be performed in accordance with General Condition JJ⁴. If the results of the testing are above the limits given in Section 2.1 A.4.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

Monitoring/Recordkeeping [15A NCAC 02Q .0508(f)]

- c. Each month, the Permittee shall record the hours of operation (as defined in Section 2.1 A.4.a.ii above) of each turbine (**ID Nos. ES-1A and 1B through ES-6A and 6B**). At a minimum, the record should include the hours of operation on a monthly and rolling 12-month total basis. Records shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not maintained.
- d. The Permittee shall demonstrate compliance with the fuel sulfur oil limit in Section 2.1 A.4.a.ii.B above using the monitoring method specified in Sections 2.1 A.2.g through i above. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if these records are not maintained.

Reporting [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of the monitoring and recordkeeping activities given in Sections 2.1 A.4.c and d above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

5. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS

(Avoidance of 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION)

- a. To comply with this permit and to avoid applicability of 15A NCAC 02D .0530 "Prevention of Significant Deterioration", as requested by the Permittee, combined emissions of oxides of nitrogen (NO_x) from the combustion turbines (**ID Nos. ES-1A and 1B through ES-6A and 6B**) shall be less than 245 tons total per consecutive 12-month period.

⁴ The Permittee completed initial testing for CO emissions on July 16, 2003 (test reference number 2013-220ST).

Testing [15A NCAC 02Q .0508(f)]

- b. The Permittee shall comply with the emission testing requirements of 40 CFR Part 60, Subpart KKKK (See Section 2.1 A.3). If the results of any tests for NO_x are above the limits given in Section 2.1 A.5.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

Monitoring [15A NCAC 02Q .0508(f)]

- c. The Permittee shall monitor NO_x emissions from combustion turbines (**ID Nos. ES-1A, ES-1B, ES-2A, ES-2B, ES-3A, ES-3B, ES-4A, ES-4B, ES-5A, ES-5B, ES-6A, ES-6B**) as required by 40 CFR Part 60, Subpart KKKK.
- d. In addition, NO_x emissions from turbine startup and shutdown shall be calculated using the manufacturer's data and assuming a loading/unloading rate of 5 megawatts per minute.

If the Permittee does not monitor NO_x emissions according to the requirements above, or if the monitoring indicates an exceedance of the emission limit in Section 2.1 A.5.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

Recordkeeping [15A NCAC 02Q .0508(f)]

- e. Each startup and shutdown shall be recorded daily for each turbine.
- f. The Permittee shall calculate and record the total daily NO_x emissions from each turbine. Total daily NO_x emissions shall equal startups plus shutdowns plus daily running load.
- g. At the end of each month, the Permittee shall calculate the combined NO_x emissions from each turbine. Then, the Permittee shall calculate the total NO_x emissions for the previous 12-month period.
- h. The Permittee shall keep the record of all startups, shutdowns, and emission calculations in a logbook (written or electronic format) on-site and made available to an authorized representative upon request.

If the Permittee does not keep records according to Sections 2.1 A.5.e through h above or the combined NO_x emissions from all combustion turbines equal or exceed the limit in Section 2.1 A.5.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

Reporting [15A NCAC 02Q .0508(f)]

- i. The Permittee shall submit a summary report of monitoring and recordkeeping activities in Sections 2.1 A.5.c through h above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. The report shall contain, at a minimum, the monthly NO_x emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months.

6. 15A NCAC 02D .1418: NEW ELECTRIC GENERATING UNITS, BOILERS, COMBUSTION TURBINES, AND I/C ENGINES

- a. The Permittee shall not cause to be discharged into the atmosphere from combustion turbines (**ID Nos. ES-1A and 1B through ES-6A and 6B**) any gases which contain nitrogen dioxide (NO_x) emissions in excess of 0.15 pounds per million Btu heat input while firing natural gas and 0.18 pounds per million Btu heat input while firing fuel oil during the ozone season. The ozone season shall be defined as the period of time extending from May 1st to September 30th of each calendar year. [15A NCAC 02D .1418(a)(2)]

Testing [15A NCAC 02Q .0508(f)]

- b. If additional emission testing is required, the testing shall be performed in accordance with General Condition JJ.

Monitoring [15A NCAC 02Q .0508(f)]

- c. The Permittee shall show compliance using a continuous emission monitor (CEMS) that meets the requirements of 15A NCAC 02D .1404(d). For each combustion turbine, the CEMS shall be operated each day during the ozone season that turbine operates. [15A NCAC 02D .1418(d)]
- d. The Permittee shall install, operate, and maintain the CEMS according to 40 CFR Part 75, Subpart H. [15A NCAC 02D .1404(d)(1)]

- e. If data from CEMS required to meet the requirements of 40 CFR Part 75 are not available at a time the associated turbine is operated, the procedures in 40 CFR Part 75, Subpart D shall be used to supply the missing data. [15A NCAC 02D .1404(e)]
- f. The Permittee shall use the CEMS to determine a 24-hour block average for each day beginning May 1 through September 30. [15A NCAC 02D .1404(g)]

Reporting [15A NCAC 02Q .0508(f)]

- g. The Permittee shall submit the CEMS data showing the 24-hour daily block values for periods of excess NOx emissions postmarked on or before October 30 of each calendar year for the previous ozone season. If no excess emissions were measured during the ozone season, the Permittee shall submit a summary report stating that there were no excess emissions for the ozone season.
- h. CEMS Monitor Availability - The Permittee shall submit the nitrogen oxide CEMS monitor downtime reports, including monitor availability values (as calculated for 40 CFR Part 75) for the last hour of the reporting period, postmarked on or before October 30 of each calendar year for the previous ozone season.

7. 15A NCAC 02D .1425: NOX SIP CALL BUDGET

The Permittee shall submit a report to the DAQ no later than January 30 of the calendar year after the NOx SIP Call control period (as defined in 15A NCAC 02D .1401(a)) listing the NOx emissions from the turbines (ID Nos. ES-1A and 1B through ES-5A through 5B) during the NOx SIP Call control period. The NOx emissions in this report shall be determined in accordance with 40 CFR Part 75 for EGUs and large non-EGUs subject to 15A NCAC 02D .1418, and in accordance with 15A NCAC 02D .1424 for large non-EGUs using alternative monitoring.

2.2 Other Applicable Requirements

ORIS code: 56249

Effective: March 26, 2025

A. Phase II Acid Rain Permit Requirements

1. 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, the Department of Environment and Natural Resources, Division of Air Quality issues this permit pursuant to Title 15A North Carolina Administrative Codes, Subchapter 02Q .0400 and 02Q .0500, and other applicable Laws.

2. SO₂ Allowance Allocations and NO_x Requirements for each affected unit

Source ID Nos.	Pollutant	Emission Limit
ES-1A and ES-1B	SO ₂	SO ₂ allowances are not allocated by U.S. EPA for new units under 40 CFR Part 72.
through	NO _x	Does not apply for combustion turbine units.
ES-6A and ES-6B		

3. Phase Permit Application (attached)

The Acid Rain Permit Application, dated October 8, 2024, submitted for this facility, as approved by the Division of Air Quality, is 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 attached application.

B. Cross State Air Pollution Rules (CSAPR) Permit Requirements

For the twelve combustion turbines (ID Nos. ES-1A and 1B through 6A and 6B), the Permittee shall comply with all applicable requirements of 40 CFR Part 97, Subpart AAAAAA “TR NO_x Annual Trading Program”, and Subpart CCCCCC “TR SO₂ Group 1 Trading Program”.

State-enforceable only

C. Disclosure of Information Relating to Emissions of Fluorinated Chemicals [15A NCAC 02Q. 0308(a); 15A NCAC 02Q.0309(b)]

The Permittee shall have an ongoing duty to disclose the presence of materials containing fluorinated chemicals at the facility that have the potential to result in the emission of fluorinated chemicals to the environment. Such disclosures shall be in writing and submitted to the Regional Office Supervisor within thirty days of the Permittee becoming aware of such information, unless such information has already been disclosed to DAQ by the Permittee. The disclosure shall describe the identity, quantity, and use of such material to the extent known. DAQ may require the permittee to conduct analysis or testing of fluorinated chemical emissions as necessary to properly evaluate emissions sources at the facility. As used in this condition, the term “fluorinated chemicals” includes but is not limited to per- and polyfluoroalkyl substances (PFAS).

2.3 Permit Shield for Nonapplicable Requirements

The Permittee is shielded from the following nonapplicable requirements [15A NCAC 02Q .0512(a)(1)(B)].

- A. Maximum Achievable Control Technology, 40 CFR 63, Subpart YYYY “National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines” does not apply to this facility because it is not considered a major source of hazardous air pollutants (does not have the potential to emit more than 10 tons per year of any individual HAP or 25 tons per year of total HAPs).
- B. Compliance Assurance Monitoring (CAM), 15A NCAC 02D .0614, 40 CFR 64 does not apply to the turbines at this facility in accordance with exemptions listed in 15A NCAC 02D .0614(b)(1).

SECTION 3 - INSIGNIFICANT ACTIVITIES PER 15A NCAC 02Q .0503(8)

Emission Source ID Nos.	Emission Source Description^{1,2}
IES-11	One natural gas-fired heater (2.0 million Btu per hour maximum heat input)
IES-12	One 500,000 gallon No. 2 fuel oil storage tank
IES-13	One 500,000 gallon No. 2 fuel oil storage tank

¹ Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement (Federal or State) or that the Permittee is exempted from demonstrating compliance with any applicable requirement.

² When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit."

SECTION 4 - GENERAL CONDITIONS (version 8.0, 07/10/2024)

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

A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

B. **Permit Availability** [15A NCAC 02Q .0507(k) and .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(s) and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of the Department of Environmental Quality upon request.

C. **Severability Clause** [15A NCAC 02Q .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** [15A NCAC 02Q .0507(e) and 02Q .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 the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance
North Carolina Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).

E. **Duty to Comply** [15A NCAC 02Q .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 state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Title V Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 02Q .0514]

The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.

2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]

The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.

3. Minor Permit Modifications [15A NCAC 02Q .0515]

The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.

4. Significant Permit Modifications [15A NCAC 02Q .0516]

The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.

5. Reopening for Cause [15A NCAC 02Q .0517]

The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements [15A NCAC 02Q .0508(f)]

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 Regional Supervisor, DAQ:

- 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 DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 02Q .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 that the permit is revised or renewed, whichever comes first.

3. Off Permit Changes [15A NCAC 02Q .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 [15A NCAC 02Q .0523(c)]
To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

I.A Reporting Requirements for Excess Emissions [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

1. "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 Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. *(Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.)*
2. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
3. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
 - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
 - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
 - name and location of the facility;
 - nature and cause of the malfunction or breakdown;
 - time when the malfunction or breakdown is first observed;
 - expected duration; and
 - estimated rate of emissions;
 - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
 - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

I.B Reporting Requirements for Permit Deviations [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

1. "Permit Deviations" - for the purposes 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.
2. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) quarterly by notifying the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535. A written report to the Regional Supervisor 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.C Other Requirements under 15A NCAC 02D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

J. RESERVED

K. **Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 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 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .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)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .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 DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303 or through the EPA CEDRI) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all terms and conditions in the permit (including emissions limitations, standards, or work practices), except for conditions identified as being State-enforceable Only. 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;
4. the method(s) used for determining the compliance status of the source during the certification period;
5. each deviation and take it into account in the compliance certification; and
6. as possible exceptions to compliance, any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (CAM) occurred.

Q. **Certification by Responsible Official** [15A NCAC 02Q .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** [15A NCAC 02Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:
 - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
 - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
 - c. the applicable requirements under Title IV; or
 - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 02Q .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** [15A NCAC 02Q .0503]

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

U. **Property Rights** [15A NCAC 02Q .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** [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
 - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
 - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
 - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

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

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

W. **Annual Fee Payment** [15A NCAC 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(3)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(d)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .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. **National Emission Standards Asbestos – 40 CFR Part 61, Subpart M** [15A NCAC 02D .1110]

The Permittee shall comply with all applicable standards for demolition and renovation activities pursuant to the requirements of 40 CFR Part 61, Subpart M. The permittee shall not be required to obtain a modification of this permit in order to perform the referenced activities.

FF. **Title IV Allowances** [15A NCAC 02Q .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** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .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 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. **General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .1110, or .1111 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance for emission sources subject to Rules .0524, .1110, or .1111, the Permittee shall provide and submit all notifications, conduct all testing, and submit all test reports in accordance with the requirements of 15A NCAC 02D .0524, .1110, or .1111, as applicable. Otherwise, if emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .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. Two copies 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 15A NCAC 02D .2600 if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
 - b. The Director may authorize the DAQ to conduct independent tests of any source subject to a rule in 15A NCAC 02D to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in 15A NCAC 02D .2600 has precedence over all other tests.

KK. Reopening for Cause [15A NCAC 02Q .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 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .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 [15A NCAC 02Q .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 [15A NCAC 02D .0540]

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations 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 [15A NCAC 02Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(b)(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 15A NCAC 02Q .0501(c)(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 Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (Air Permitting Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303 or through the EPA CEDRI) in writing at least seven days before the change is made.
 - a. The written notification shall include:
 - i. a description of the change at the facility;
 - 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.

- b. 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** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal 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 02Q .0518 begins at the end of the 45-day EPA review period.

ATTACHMENT 1

Acid Rain Permit Application

Signed October 8, 2024

Appendix A

Title IV Acid Rain Program Renewal Application



United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258
Approval expires 05/31/2025

Acid Rain Permit Application

For more information, see instructions and 40 CFR 72.30 and 72.31.

This submission is: ☐ new ☐ revised ☒ for ARP permit renewal

STEP 1

Identify the facility name,
State, and plant (ORIS) code.

Facility (Source) Name	NCEMC Anson Plant	State	North Carolina	Plant Code	56249
------------------------	-------------------	-------	----------------	------------	-------

STEP 2

Enter the unit ID# for every
affected unit at the affected
source in column "a."

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
ES-1A	Yes
ES-1B	Yes
ES-2A	Yes
ES-2B	Yes
ES-3A	Yes
ES-3B	Yes
ES-4A	Yes
ES-4B	Yes
ES-5A	Yes
ES-5B	Yes
ES-6A	Yes
ES-6B	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes

Facility (Source) Name (from STEP 1) **NCEMC Anson Plant**

STEP 3

Read the standard requirements.

Permit Requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Facility (Source) Name (from STEP 1) NCEMC Anson Plant

STEP 3, Cont'd.

Excess Emissions Requirements

- (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Facility (Source) Name (from STEP 1) NCEMC Anson Plant

STEP 3, Cont'd.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

**Read the
certification
statement, sign,
and date.**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name John T. Cook	
Signature <i>John T. Cook</i>	Date 10/08/2024