Asheville-Buncombe Air Quality Agency

MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Agenda for March 26, 2026

DATE: March 19, 2026

Enclosed, please find the Agenda for the Asheville-Buncombe Air Quality Agency Board meeting to be held on **Thursday March 26, 2026 at 4:00pm** in the board meeting room located at 35 Woodfin Street, Asheville, NC 28801.

This meeting will be live streamed on Engage Buncombe which can be accessed at https://engage.buncombecounty.org/s8486. The board meeting documents will also be available on the Engage Buncombe site. The meeting will be recorded and can be viewed later.

ASHEVILLE-BUNCOMBE AIR QUALITY AGENCY BOARD OF DIRECTORS
TENTATIVE AGENDA
MARCH 26, 2026 BOARD MEETING

1. **Public Comment Protocol Announcement**

2. **Adjustment and Approval of Agenda**

3. **Consent Agenda:**
   A. Approval of minutes from February 3, 2026

4. **Unfinished Business:**
   A. Buncombe County Reduce to Rebuild Program

5. **Director's Report:**
   A. Budget Year FY26 Expenditure Reduction Plan
   B. Draft Budget FY27 and Proposed Title V CPI Adjustment
   C. Air Quality Rule Amendments Update
   D. EPA rule updates
   E. Electronic payments for facilities
   F. Monitoring Update
   G. Facility Permit Renewals

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Amcor Flexibles, Inc.	Manufacturer of Flexible Packaging Products	Title V	Sweeten Creek Road, Arden	Removal of control devices that have been replaced with new equipment, minor change to monitoring requirements to align with similar equipment, updates to the insignificant activity list
Glatfelter	Non-woven fiber manufacturing facility	Synthetic Minor	Sand Hill Road, Enka	Ownership Change

   H. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
Buncombe County Landfill II	Landfill	Title V	Panther Branch Road, Alexander	Modify the permit since the facility is now subject to 40 CFR Part 60, Subpart XXX and updating General Conditions.
Duke Energy	Electric Generating Utility	Title V	46 Duke Energy Lane, Arden	Updating PAL Limit After Recent Update of Emission Factors

I. New Permits

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
North End Stump & Brush Recycling	Wood waste yard	Small	New Stock Road, Weaverville	Air Curtain Incinerator

6. New Business:

A. None

7. Other Business:

A. Legal Counsel Report
B. Advisory Committee Report
   i. Committee has not met since the last meeting
   ii. Next meeting April 30, 2026
C. Calendar
   i. Board Meeting Schedule & Time
   ii. Next meeting May 14, 2026
   iii. Special Meeting in June to adopt rule updates
D. Announcements

8. Public Comment

9. Adjournment

Asheville-Buncombe Air Quality Agency

MEMORANDUM

TO: Asheville-Buncombe Air Quality Agency Board of Directors

FROM: Ashley Featherstone, Director

RE: Minutes for February 3, 2026

DATE: March 5, 2026

Enclosed, please find the Minutes for the Asheville-Buncombe Air Quality Agency Board meeting held on **Tuesday, February 3, 2026 at 4:00pm**. The next meeting is scheduled for **Thursday March 12, 2026 at 4:00pm** in the meeting room located at the previous Buncombe County Permit Office at 30 Valley Street, Asheville, NC 28801.

This meeting will be live streamed on Engage Buncombe which can be accessed at https://engage.buncombecounty.org/s8486. The board meeting documents will also be available on the Engage Buncombe site. The meeting will be recorded and can be viewed later.

The Asheville-Buncombe Air Quality Agency Board of Directors met on Tuesday, February 3, 2026, in the meeting room at the former Buncombe County Permit Office located at 30 Valley Street, Asheville, N.C.

The attendance of the Board members was as follows:

Members Present: **Members Absent:**

Garry Whisnant
Joel Storrow
Caitlin Cook
Ned Guttman
Karl Koon

Staff Present: *Ashley Featherstone, Director; James Raiford, Permitting Program Manager; Steve Ensley, Air Quality Monitoring Coordinator; Alex Latta, Air Quality Specialist II; Allison Glass, Air Quality Specialist I; Hannah Rhodes, Air Quality Coordinator*

Others Present: *Suzanne Avett, Senior Attorney II; Glenn Murray, Accounting & Financial Reporting Manager; Sam Riddle, Budget Analyst; Timothy Love, Assistant County Manager; Patti Beaver, CIBO*

Joel Storrow called the meeting of the Asheville-Buncombe Air Quality Agency Board of Directors to order on February 3, 2026, at 4:00 pm.

The order of business was as follows:

1. **Public Comment Protocol Announcement**
   A. Joel Storrow read the public comment protocol.

2. **Adjustment and Approval of Agenda**
   A. Garry Whisnant made the motion to approve the agenda.
   B. Ned Guttman seconded the motion.
   C. All present – yes
   D. The motion passed 5-0

3. **Introductions**
   A. Suzanne Avett – Legal Counsel
      i. Joel Storrow welcomed Suzanne Avett, the board's new legal counsel.
      ii. Suzanne Avett said that she is not new to the county attorney's office. With some of the shifting around, she has replaced Amy Broughton as the Air Quality Board's legal counsel. She is new to this position, but not new to the county. For the past 18 years, she worked as the attorney for the department of Health and Human Services.

B. Joel Storrow also introduced some of the other attendees, including Timothy Love, the Assistant County Manager, Sam Riddle with the County's Budget Department, Glenn Murray with the County's Finance Department, and Patti Beaver from CIBO.

4. Consent Agenda

A. Approval of minutes from November 20, 2025
B. Ned Guttman made the motion to approve the minutes.
C. Caitlin Cook seconded the motion.
D. All present – yes
E. The motion passed 5-0

5. Unfinished Business

A. None

6. Director's Report

A. Buncombe County Reduce to Rebuild Program
   i. Ashley Featherstone stated that the Agency adopted a fee change in our rules to reduce certain permit fees related to Hurricane Helene, which ran from June through December of last year (2025). The County has decided to extend that program until June 30, 2026, and they have asked us to do the same. Instead of a 50% reduction in fees, they are asking to waive fees 100%. We had 169 applications for the program last period, 33 of them met the criteria, and the overall financial impact was $1,200. For the proposal, instead of putting a sunset date, Ms. Featherstone said the Agency would like to include a reference to the County's Reduce to Rebuild Program so that if the Board of Commissioners changes the date again, we will not have to amend our rules again. We will need to post it for public comment for 30 days, and then the Board will vote again.
   ii. Karl Koon asked if we would issue any refunds for any permits issued as of January 1st.
      1) Ashley Featherstone replied no, but if we see someone that might qualify, we would let them know that they could wait and get the fee waived. The fee is only about $200, so that is a decision they can make as to whether or not they would like to wait.
   iii. Joel Storrow proposed voting on going to public notice on extending the reduce to rebuild program.
      1) Garry Whisnant made the first motion.
      2) Karl Koon seconded the motion.
      3) The motion passed 5-0
B. Air Quality Rule Amendments Update
   i. Ashley Featherstone stated that we have three groups of rules on the website for Board members to review. She said she is almost through with group 4, but some of those are the ones where our rules are different from the State's rules, so group 4 is taking a little longer than the others. She is hoping to have more of an update on the rules at the March meeting.
C. Review Program Data (complaints, civil penalties, permits, etc.)

i. The Agency tracks program data that shows things such as the number of permits we issue, number of facilities we work with, etc. Ashley Featherstone showed a few graphs depicting the data.
ii. In Calendar Year 2024, inspections were down due to Hurricane Helene, as Stage I inspections are typically done in the Fall and were not done that year.
iii. Asbestos and demolition permits were up in 2024.
iv. The Agency has 70 permitted facilities, plus around 150 gas stations that are permitted.
v. Ashley Featherstone shared about the most common industry NOV's, such as late reports.
vi. Garry Whisnant asked if we use NOD's (Notices of Deficiencies), or just NOV's (Notices of Violations).
    1) Ashley Featherstone responded that the we do issue NOD's. That is something that the legislature mandated a few years ago and wanted the Agency to issue NOD's in addition to NOV's for certain things. But the Agency and the state are issuing those.
vii. Garry Whisnant asked if we issue more NOV's or NOD's.
    1) Ashley Featherstone responded that we do have a fair amount of NOD's that we have issued. There are likely more of those, as the majority are just first time late reports. The way we presented the data here NODs were counted as NOVs.

D. Accomplishments for last 5-year period
i. Ashley Featherstone shared that the county just wrapped up their strategic plan. They do a 5-year strategic plan, and we are a part of that process, so we have data to share from the last 5 years. The biggest one to highlight is that in 2024, we completed a reorganization of the agency, filling a vacant position, hiring new staff positions, and we re-did a lot of the position descriptions and the organizational chart. That is a project that we worked on for 2 or 3 years.
ii. Other goals from the strategic plan are ones that the Commissioners had and we tried to align our goals with theirs. For example, one of the Commissioner's goals was related to customer service, and we started taking electronic payments for asbestos/demolition permits, which directly aligns.
iii. We worked with IT to establish an air quality complaint module in Accela.
iv. We used EPA funds to upgrade and expand our air pollution monitoring equipment.
v. We worked with multiple groups to move the particulate matter air monitoring site from the roof of the Board of Education to the ground.
vi. We hosted a low-cost air quality sensor shelter in the community.
vii. We did post-Hurricane Helene non regulatory air quality monitoring.
viii. We gave away free radon test kits.
ix. We worked on some grants for electric vehicle infrastructure to help the schools get an award from EPA for 4 electric school buses. This award appears to be on hold.
x. We started an energy efficiency program with breweries.

E. Budget Year Update FY26
i. Ashley Featherstone said we are a little more than halfway through Fiscal Year 2026. We do have $15,000 in the contingency funds in the budget, which is for unexpected things that

come up, and Ms. Featherstone wanted to let the board know that we did have to use some of those funds recently. We had to pull about $8,600 from those funds for a monitoring equipment repair. The way we have the budget ordinance written, we did not need the board to vote on this, but we needed to make the board aware of this transaction.

ii. Garry Whisnant asked if we track our planned cash flow vs budget monthly.
    1) Sam Riddle from the County's Budget department said that we're always tracking it monthly. We're a little less concerned with the cash flow piece, and more just looking at where we are in the year and making sure we're on track to meet annual numbers.
    2) Garry Whisnant asked if we see monthly if we're on track or not on track.
    3) Sam Riddle explained that you might spend different amounts of money at different times of the year, which is why we monitor to make sure we're on track for meeting annual numbers. For example, if we have more trainings in the spring, we wouldn't have spent our travel and training budget yet halfway through the year. These are the types of things we consider when tracking the budget actuals throughout the year.

iii. Karl Koon also pointed out that our income is not consistent from month to month. For example, our Stage I invoices are sent out at one time of the year.

iv. Ned Guttman asked what monitoring equipment needed to be repaired.
    1) Ashley Featherstone said it was the BAM PM2.5 monitor.
    2) Steve Ensley then elaborated on the equipment repair. He said we did not lose any data due to the fact that we have a spare, but we needed to pay the diagnostic fee and get the one BAM repaired so that we could have a spare in the future.

v. Ashley Featherstone said that the other part of the budget update she wanted to give was regarding our EPA grant allocation. The budget for the EPA was just approved on the federal level for slightly higher than the prior year. This means we should be receiving a partial award soon. That is the award that we would not draw down until Fiscal Year 2027.

vi. Garry Whisnant asked if the number was on track with what we had put in the budget.
    1) Ashley responded that yes, it was. She said that we were particularly worried for this year because the President's original skinny budget had zeroed out our funding, so we were very pleased that these recurring funds ended up getting approved at what is essentially level funding compared to the prior year.

F. Radon Awareness Month
    i. We purchased 100 radon test kits. We are working with Environmental Health to hand those out. We still have some more kits to give out.

G. Monitoring Update
    i. Steve Ensley showed slides on PM2.5 data. He is unsure what is going to happen with the PM2.5 standard. Ashely Featherstone said that the current standard was changed from 12 to 9 (micrograms per cubic meter) with the previous administration, but the current administration was challenging that, so it is in court right now.
    ii. Steve Ensley said the good news is that we are in good shape to meet the new standard.
    iii. Steve Ensley went over monitoring data completeness.
        1) PM2.5 data completeness: 97.71% (for 2025)

2) Ozone data completeness: 93.76% (for 2025)

iv. Steve Ensley elaborated that having the spare instrument allowed us to have such high completeness for the year.

v. Steve Ensley said there is a monitoring workshop that is happening this week that is virtual. He is also going to be going to Raleigh to pick up ozone equipment from the state that they certified for us.

vi. Steve Ensley then talked about the AB Tech monitoring site.
   1) The MOU was completed.
   2) The addendum went to public notice with additional information to justify the location of the second ozone site. Ashley Featherstone stated that it said why the AB Tech site was sufficient when we already had one on Bent Creek. That public notice period has passed and Steve Ensley believes the state did not receive any comments. He is hoping to hear something soon.
   3) Ashley Featherstone said we are working with the county and AB Tech, as we wanted to make sure that we have the 105 grant funds prior to continuing. We have communicated with the county that we would like to proceed with the site.
   4) Steve Ensley said the State is letting us use their building (which was recently purchased cost approximately $80,000) to put on the concrete pad.
   5) We will not have the site up and running by March with the start of the ozone season, but the agreement is that we will get it up and running soon. The state plans to deliver the building in May.

vii. Garry Whisnant said he watches the air quality forecast every day, and he feels it is almost always yellow.
   1) Steve Ensley said that one thing that has driven that is that when they dropped the standard, what used to be considered green is sometimes now yellow.
   2) Ashley Featherstone said the new standard was finalized a couple of years ago.
   3) Garry Whisnant said it looks like we are well below the standard, so he doesn't understand we are always in the yellow.
   4) James Raiford said that the yellow-to-green is the biggest jump. Also, they are trying to be conservative, so they don't want to forecast a green day and then have it end up being a yellow day. If a forecast is close enough to yellow, they will just forecast it as a yellow day. Therefore, there are some days that they will forecast as yellow, but actually end up being green days (for the air quality index).
   5) James Raiford said that unless there are wildfires, we typically don't have orange days.

viii. Ned Guttman asked where the input data is coming from for the forecast.
   1) James Raiford said that DEQ has in-house air quality meteorologists that make the forecast. But we do have a PM network from Hickory, Charlotte, Spruce Pine, etc. So the network they are forecasting from in our area is actually a little better than some other areas.
   2) Ned Guttman asked if it was one or two stations used for the forecast of this large area.

3) Steve Ensley said that they are now also using Purple Air sensors (in addition to the regulatory monitors), so that adds many, many additional data points.

ix. Ashley Featherstone said the challenging thing is that now we are having a lot of yellow days because the standard was changed. If the standard gets changed again, we will have to explain to the public why we are getting so many more green days, but it's just that the standard would have been changed yet again, not that air quality has changed.

x. James Raiford said that the bottom line is that our air quality is not any different, it's just what number the EPA decides is the standard to protect public health.

H. Facility Permit Modifications

Facility Name	Type of Facility	Facility Classification	Location	Changes from Existing Permit
RTX Corporation, Pratt and Whitney	Airplane Parts Manufacturer	Small	Biltmore Park West, Asheville	Updating the heat input and removing the afterburner for the shell fired furnaces in the permit, adding additional equipment including a wax injection machine, a wax furnace (similar to existing equipment) and a boron nitride spray booth.

i. James Raiford said this is a newer facility, and so they are constantly realizing that they need to slightly change things on their permit. They removed some equipment and added some other equipment. When you look at total potential emissions new vs old, it was a very small amount of an increase, maybe a 1 ton increase in potential emissions. They did get a zoning consistency determination, which is required.

ii. Karl Koon made the motion to approve the above permit modification.

iii. Ned Guttman seconded the motion.

iv. All present – yes

v. The motion passed 5-0

I. New Permits

Facility Name	Type of Facility	Facility Classification	Location	Proposed Equipment
The Biltmore Company	Wood Waste Management for the Biltmore Estate	Title V-General Permit	Biltmore	Air Curtain Incinerator

i. James Raiford said that we approved one air curtain incinerator (ACI) permit at the last board meeting. Since Hurricane Helene, some companies have realized that they would like to burn some of their waste to dispose of it. When the EPA approved the original use, they did not need a permit because it was to burn storm debris. Now they would like to keep it on site so they can use it for wood waste management. There are no residents near the ACI location. James Raiford did air quality modeling and there are no concerns about it impacting residents.
ii. Karl Koon asked if Biltmore would be moving the ACI around the property.
    1) James Raiford said they originally had wanted to move it between three different places, but they decided on one permanent site.
iii. Ashley Featherstone said we will have one more of these ACI permits to approve. We have a third application in house right now.
iv. Ned Guttman made the motion to approve the above new permit.
v. Caitlin Cook seconded the motion.
vi. All present – yes
vii. The motion passed 5-0

7. New Business

A. Financial Update: June 30, 2025 Statement of Net Position
i. Joel Storrow introduced the topic of net position, which is beneficial to discuss now, as we are entering budget season.
ii. At the top of the net position document is our cash reserve of $713,601, which we have previously referred to as the "fund balance." Joel Storrow stated that we've invited county staff to the meeting today because, as it turns out, as an Agency, our liabilities have to be accounted for when calculating a true "fund balance" amount. These liabilities include things such as retirement costs for previous employees. Once we take out all of the future liabilities, we end up with only $27,687. And while that cash reserve does not go away all at one time, we do have to account for that.
iii. Garry Whisnant said that we have always viewed the fund balance as funds that are available to spend should we need it. He then asked, which is the dollar amount available to use?
    1) Timothy Love said that the amount of $713,601, as it turns out, has a restricted future use. So there are future liabilities that it needs to be reserved for. As Mr. Storrow said, you wouldn't see that $700K get spent all at once, but over the course of 5, 10, 15, or 20 years, you may see that liability get realized. With that, we can't just view it as cash because it does have another purpose in the future.
    2) Timothy Love went on to say that, realistically, if we're thinking about an organization and managing operations, you're going to take care of immediate expenses before you are going to start thinking about future liabilities. And so he thinks that was a natural thing that was occurring, and he doesn't think anyone has done anything wrong. He doesn't think we're in the "red," to use more casual language. But, there is no doubt that there is

a future liability that must be accounted for, and that's what is happening when looking at this most recent Statement of Net Position.

iv. Garry Whisnant asked if it is appropriate for us to use any of those funds in the budgeting process.
    1) Timothy Love responded that we really shouldn't use those funds. That being said, it is a balance. We need to recognize current expenses versus future liabilities, and so to some extent, there might be a need to use the funds for that purpose, but it's not a good practice overall to dip too deeply into that.

v. Ned Guttman asked about the City's role in the Agency, since it is a City-County Agency, and if the City has any input into the budgeting.
    1) Timothy Love said that he can not speak on behalf of the City. Ashey Featherstone and Joel Storrow have had communication with City officials in the past, but he is not privy to those conversations.
    2) Overall, the City has not had much involvement with the budgeting process, or at least not in recent years.

vi. Karl Koon asked if we have specific numbers for future liabilities, such as retirement costs, and asked if the $27,687 number would be realized 5 years from now, 10 years from now, etc. He also asked if the $713,601 was building some income on its own, and if the rate of return was being accounted for.
    1) Glenn Murray said that it's very complicated, but he will try to do his best to explain it. For retirement, it is the State that actually holds that money. The money for the pension is our portion of the State's liability. Those are funded by payroll payments over time. And it's not that we're supposed to fund X amount of dollars every year to make sure that liability is paid off. The employee is responsible for one part of it, and the employer is responsible for the other part of it. Depending on how well it's funded versus underfunded, the State does occasionally increase the employer's portion of that over time, but that is how it is funded. In the end, we don't have to pay that money. But we are required to show, if we had to pay it today, what the amount we would have to pay would be. Compensated absences are another example of an item that Air Quality has to report on. It equals the amount of vacation that a staff member has accumulated, and if that staff member terminates employment at the end of the year, this is the value the Agency would have to pay out to them. OPEB (other post-employment benefits) is another example, and it is the health insurance benefit that we pay. It's another thing that is held in a trust and does earn interest. Right now the county pays it directly, but those costs are reported throughout the year.

vii. Ned Guttman asked whether the $700K exists in terms of usable money.
    1) Glenn Murray said that he doesn't want to say that it doesn't exist, but the $700K should be reserved for future liabilities.

viii. Ned Guttman asked where the fund balance originated, and if it started as actual cash that was coming into the Agency.

1) Glenn Murray said that that's hard to answer. Some of the numbers have always been there. The pension numbers only had to be reported as of about 10 years ago, per the Government Accounting Standards Board.

ix. Ned Guttman asked how much actual cash the agency had in the past that was considered a "fund balance," rather than the liability number. He wanted to know if the agency was previously operating in the black.
   1) Joel Storrow said that the answer to that is that there have been years when the Agency put funds back into the fund balance.
   2) Karl Koon and Joel Storrow pointed out that the air has improved so that our tonnage fee revenue is down, compared to previous years.
   3) Glenn Murray said that sometimes it is useful to look at any of the numbers presented, and which numbers you look at depend on what situation you're wanting to analyze for.

x. Ned Guttman said he wanted to know what number we should concentrate on to create the budget.

xi. Garry Whisnant talked about how in previous years we have used the fund balance to balance the budget. He asked if that number for this budget season should be $27K.
   1) Timothey Love and Glenn Murray said that yes, for budgeting we should use the $27K so the rest of the fund can be reserved for long term liabilities.
   2) Glenn Murray also pointed out that long term liabilities are based off of numbers calculated by actuaries, and they can fluctuate from year to year.
   3) Timothy Love said that we also have Sam Riddle with budget, who works with Ashley Featherstone and Hannah Rhodes to manage and project the balance of revenues and expenses.

xii. Karl Koon asked if the non-current liabilities are based upon just the Air Quality employees and former employees, and their specifics, or is that a Buncombe County number that you divide out by the number of employees, and allocate it out that way?
   1) Glenn Murray said that it is Air Quality only. For example, the pension amount is an amount that the State has a report specific to Air Quality. Other numbers are based on Air Quality's staffing, so it's all Air Quality-specific numbers.

xiii. Garry Whisnant wanted to confirm that the number we should use in the budgeting process is $27K, and this was confirmed by the finance team.

xiv. Ned Guttman asked about the fee schedule and adjusting fees.
   1) Tim Love said the county publishes their fee schedule with the budget, so by June 30th that will happen. Ashley Featherstone has mentioned this to him in the past. He was unsure that we'd be ready to adjust our fees this year, but said it can certainly be discussed for future years.

xv. Ashley Featherstone commented that the county has to report the Air Agency finances separately, because we are a separate component unit (for accounting purposes).
   1) Glenn Murray confirmed that the Air Agency does get reported as a component unit, compared to other departments that get lumped together for the county.

xvi. Tim Love said that we are a unique entity, and there is not another like us in the State.

1) Ashley Featherstone said that the other two local programs in the state are under the county commission, which we are not.
2) Ashley Featherstone said that Air Agencies have been having funding issues for years now, and the other two local programs in the state have now been receiving funding from their counties
3) Ned Guttman asked if the county would be interested taking on this Agency and Board.
4) Tim Love said he is interested in continuing this air program. He said he wants the board to feel supported by county staff, should they have any other questions.

8. Other Business

A. Legal Counsel Report
   i. Suzanne Avett said that there has been a judgement issued for the Banks case. There is an overlap on this case for both Air Quality and Solid Waste. The solid waste and cleanup of the property are probably going to be the bigger next issue.
   ii. Ashley Featherstone asked what it means that a judgement has been issued.
      1) Suzanne Avett answered that it essentially allows the county to clean up the property and put a lean on the property in an effort to recoup the funds.
   iii. Ashley Featherstone asked if the current owners are affected. Does the county take their property?
      1) Suzanne Avett said that that can be an eventual outcome, and it would be like a foreclosure matter.
   iv. Ashley Featherstone asked if the judgement tells the owners that they have to clean up the property and stop burning trash, correct?
      1) Suzanne Avett confirmed. She said that they have the ability to clean up the property, although she doesn't know that that's a likely option given how long this matter has been ongoing. She thinks the most likely resolution will be the county cleaning up the property.
   v. Ashley Featherstone asked if for now, we just wait and see what happens with the legal case?
      1) Suzanne Avett confirmed that it will be a wait and see type of situation.
   vi. Joel Storrow asked if there could be judgement that would bring some money back to the Agency.
      1) Ashley Featherstone said that any funds we get from items like this go to the school board.
   vii. Suzanne Avett said that there are a couple of these types of cases going right now, and they are quite lengthy processes.

B. Advisory Committee Report
   i. Committee has not met since the last meeting.
   ii. Ashley Featherstone said she will reach out to the advisory committee to get something scheduled. We may try to set up a meeting in April.

C. Calendar
   i. 2026 Board Meeting Schedule
   ii. Next meeting March 12, 2026

D. Announcements

i. There is a wood stove safety day at the Barnardsville fire department from 11am to 1pm on Saturday, February 7th, and we will have a table there with our Burnwise materials. They will be giving out free wood stove safety kits.

9. Public Comment

A. None

10. Adjournment

A. Garry Whisnant made the motion to adjourn the meeting.
B. Ned Guttman seconded the motion.
C. All present – yes
D. The motion passed 5-0
E. The meeting was adjourned at 5:09pm

Asheville-Buncombe
Air Quality Agency

Memo

To: Air Quality Board

From: Ashley Featherstone

Date: March 19, 2026

Re: Reduce to Rebuild Fee Rule Change

A notice announcing the opportunity for public comment on the proposed rule change that revised the Agency fee schedule in accordance with Buncombe County Government's Reduce to Rebuild program was published in the Asheville-Citizen Times on February 9, 2026 and placed on the agency website. No comments were received during the 30-day public comment period, which ended on March 11, 2026.

FY26 Expenditure Reduction Plan

Contingency Funds	$	6,400.00
Hold Air Quality Specialist II Position Vacant	$	34,297.00
*Ozone Site Concrete Pad & Electrical	$	7,400.00
*Ozone Site Monitoring Equipment	$	25,000.00
*Ozone Site Software Key	$	2,600.00
File Digitization Project	$	11,000.00
Credit Card Processing Fees	$	4,400.00
Education/Outreach	$	3,210.00
Travel & Training	$	3,000.00
Temporary Salary	$	3,500.00
Office Expenses	$	1,290.00
Total	$	102,097.00

Asheville-Buncombe
Air Quality Agency

March 5, 2026

MEMORANDUM

TO: Ashley Featherstone, Director
James Raiford, Permitting Program Manager

FROM: Hannah Rhodes, Air Quality Coordinator

SUBJECT: Permit Annual and Application Fees for Calendar Year 2026

Attached are the official tables for the new Asheville-Buncombe Air Quality permit annual and application fees for calendar year 2026. Please forward this memorandum to anyone likely to need it. In 2025, pursuant to AB Air Quality Code 17.0204, the Asheville-Buncombe Air Quality Agency increased the Title V fees by the Consumer Price Index (2.65312%). This annual inflation adjustment will go into effect starting January 1, 2026 for the Title V permit application fees. As a historical note, Title V Fees were also recently adjusted September 27, 2021, per rulemaking and AB Air Quality Board approved changes to 17.0203. Tonnage fees are adjusted by the AB Air Quality Board as part of the annual budget process.

More information regarding the Consumer Price Index and the 40 CFR Part 70 presumptive minimum fee can be found here: https://www.epa.gov/title-v-operating-permits/permit-fees. It is recommended that the Title V tonnage fee also be increased to $65 per ton based on the EPA presumptive minimal fee of $65.38.

Attachments: Current Air Quality Fees (As of January 1, 2026)
AB Air Quality 2026 Title V Fee CPI Increase

Asheville-Buncombe
Air Quality Agency

Title V Facilities Fees CPI Increase 2026

Application Fees	2025	2.65312% CPI Increase 2026
Initial Application or Major Modification or Renewal	$12,066	$12,386
Initial Application or Major Modification (PSD or NSR/NAA)	$18,099	$18,579
Initial Application or Major Modification (PSD and NSR/NAA)	$36,196	$37,157
Minor Modification	$3,620	$3,716
17.0300 Permit	$1,207	$1,239
General Title V Air Curtain Incinerator (new proposed fee)	10% of the Otherwise Applicable Fee	10% of the Otherwise Applicable Fee

Annual Source Fees

Title V (Base Fee + Title V Tonnage Fee)	$12,066	$12,386
Title V (Nonattainment Area Added Fee)	$4,826	$4,954
Title V (Added Medium Complex Facility Fee -3-5 Federal Programs)	$3,016	$3,096
Title V (Added Highly Complex Facility Fee -6 or more Federal Programs)	$9,049	$9,289
General Title V Air Curtain Incinerator (New Proposed Fee)	10% Of the Otherwise Applicable Fee	10% Of the Otherwise Applicable Fee
Title V Tonnage Fee *(no change to 100 ton minimum)	64	65
Synthetic Minor (no change)	$4,000 Base Fee + Synthetic Minor Tonnage Fee	$4,000 Base Fee + Synthetic Minor Tonnage Fee
Synthetic Minor Tonnage Fee (no change)	53	53

*The annual Title V tonnage fee is determined each year by the Board as part of the budget process and the annual Consumer Price Index annual increase for Title V facilities. We are proposing to increase the tonnage fee to $65 in Buncombe County FY27.

Asheville-Buncombe
Air Quality Agency

Projected Title V Permit Fees with Increased CPI Tonnage Fee								
Facility	2025 Permit Fee	2025 Complexity Fee	2025 Tonnage Fee ($64)	2026 Projected Permit Fee (Including CPI)	2026 Complexity Fee (Including CPI)	2026 Projected Tonnage Fee ($65)	Tonnage Fee Increase	2025 - 2026 Difference in Permit Fee (CPI and Tonnage Fee Increase)
Amcor Flexibles LLC	$12,066	$-	$6,400	$12,386	$-	$6,500	$100	$420
BorgWarner Turbo Systems	$12,066	$3,016	$6,400	$12,386	$3,096	$6,500	$100	$500
Metropolitan Sewerage District of Buncombe County	$12,066	$9,049	$6,400	$12,386	$9,289	$6,500	$100	$660
Duke Energy Progress, LLC - Asheville Combined Cycle Plant	$12,066	$9,049	$27,904	$12,386	$9,289	$28,340	$436	$996
Buncombe County Landfill II	$12,066	$3,016	$6,400	$12,386	$3,096	$6,500	$100	$500
Low & Bonar, Inc.	$12,066	$-	$6,400	$12,386	$-	$6,500	$100	$420
Day International, Inc. dba Flint Group	$12,066	$9,049	$7,168	$12,386	$9,289	$7,280	$112	$672
Totals:	$84,462	$33,179	$67,072	$86,702	$34,059	$68,120	$1,048	$4,168

Phone: 828.250.6777
P.O. Box 2749, Asheville, NC 28802 / 35 Woodfin Street, Asheville NC 28801 abairquality.org

Asheville-Buncombe Air Quality Agency Accounts	FY2024 Actuals	FY2025 Actuals	FY2026 Budget	FY2027 Budget
Revenue Accounts				
4120:Investment Earnings				
4120:RC397 Investment Earnings	$ 31,699.16	$ 29,292.74	$ 5,000.00	$ 5,000.00
4120:RC000	$ 205.35	$ 755.92	$ -	$ -
Total 4120:Investment Earnings	**$ 31,904.51**	**$ 30,048.66**	**$ 5,000.00**	**$ 5,000.00**
4150:Other Revenue				
4150:RC437 Rebates	$ -	$ -	$ 7,500.00	$ -
4150:RC006 Air Quality Penalties	$ -	$ 100.00	$ -	$ -
4150:RC042 Miscellaneous Revenue	$ 1,000.00	$ -	$ -	$ -
Total 4150:Other Revenue	**$ 1,000.00**	**$ 100.00**	**$ 7,500.00**	**$ -**
4180:Other Taxes and Licenses				
4180:RC046 North Carolina Gas Tax	$ 155,494.37	$ 155,565.41	$ 160,000.00	$ 160,000.00
Total 4180:Other Taxes and Licenses	**$ 155,494.37**	**$ 155,565.41**	**$ 160,000.00**	**$ 160,000.00**
4190:Permits and Fees				
4190:RC313 Administration Fees 105	$ 415.00	$ 552.00	$ 500.00	$ 550.00
4190:RC314 Title V Permit Fees	$ 185,419.00	$ 214,127.00	$ 210,000.00	$ 227,000.00
4190:RC111 Asbestos Permits	$ 166,007.63	$ 150,879.75	$ 135,000.00	$ 150,000.00
4190:RC112 Stage I Vapor Recovery	$ 49,050.00	$ 44,675.00	$ 54,000.00	$ 54,000.00
4190:RC113 Investigative Cost Fees	$ -	$ -	$ 400.00	$ 400.00
4190:RC114 City Permit Review Fee	$ 18,721.00	$ 20,879.25	$ 18,000.00	$ 18,000.00
4190:RC115 County Permit Review Fee	$ 6,200.00	$ 8,000.00	$ 9,000.00	$ 9,000.00
4190:RC312 AQ - Permit Fee	$ 112,904.90	$ 114,642.90	$ 113,000.00	$ 115,000.00
Total 4190:Permits and Fees	**$ 538,717.53**	**$ 553,755.90**	**$ 539,900.00**	**$ 573,950.00**
4210:Restricted Intergovernmental				
4210:RC310 EPA 105 Grant	$ 280,000.00	$ 222,974.00	$ 230,000.00	$ 230,000.00
4210:RC311 EPA 103 Grant - PM	$ 130,214.00	$ 240,085.59	$ 123,000.00	$ 65,000.00
Total 4210:Restricted Intergovernmental	**$ 410,214.00**	**$ 463,059.59**	**$ 353,000.00**	**$ 295,000.00**
Total Revenue Accounts	**$ 1,137,330.41**	**$ 1,202,529.56**	**$ 1,065,400.00**	**$ 1,033,950.00**
Expense Accounts				
Salaries And Benefits				
5000:Salaries and Wages	$ 636,095.68	$ 620,175.56	$ 627,855.00	$ 628,042.00
5030:Benefits	$ 293,158.58	$ 311,935.27	$ 360,883.00	$ 403,931.00
Total Salaries And Benefits	**$ 929,254.26**	**$ 932,110.83**	**$ 988,738.00**	**$ 1,031,973.00**
Operating Expenditures - Discretionary				

6020:Travel and Training	$ 7,670.15	$ 9,705.55	$ 12,996.00	$ 17,991.00
6030:Vehicle Expense	$ 1,566.18	$ 336.49	$ 1,850.00	$ -
6060:Office Expenses	$ 9,194.43	$ 10,155.53	$ 16,910.00	$ 16,000.00
6070:Maintenance and Repair				
6070:SC013 Building and Grounds Maintenance	$ -	$ -	$ 10,000.00	$ 16,000.00
6070:SC046 Equipment Maintenance	$ -	$ 1,921.62	$ -	$ 4,170.00
6075:Equipment	$ 10,640.41	$ 8,795.99	$ 25,000.00	$ 46,000.00
6090:Contract and Professional Services	$ 2,271.48	$ -	$ 11,000.00	$ 7,940.00
6105:Charges and Fees	$ 3,506.47	$ 3,736.91	$ 4,500.00	$ 100.00
6160:Advertising	$ -	$ 244.10	$ 1,000.00	$ 1,550.00
6500:Information Technology	$ 1,545.08	$ 1,540.80	$ 1,550.00	$ 4,550.00
Total Operating Expenditures - Discretionary	**$ 36,394.20**	**$ 36,436.99**	**$ 84,806.00**	**$ 114,301.00**
Operating Expenditures - Non-Discretionary				
6510:SC077 Non Discretionary Copier	$ -	$ -	$ 80.00	$ 80.00
6510:SC078 Non Discretionary Indirect Cost	$ 91,764.00	$ 141,639.00	$ 147,787.00	$ 147,787.00
6510:SC079 Non Discretionary Insurance and Bonds	$ 5,988.00	$ 4,011.00	$ 6,265.00	$ 5,929.00
6510:SC080 Non Discretionary Motor Fuel	$ 2,958.14	$ 1,690.12	$ 3,600.00	$ 3,600.00
6510:SC081 Non Discretionary Other Post Employment Benefits	$ 9,009.38	$ -	$ 9,274.00	$ 9,274.00
6510:SC082 Non Discretionary Telephone	$ 3,768.41	$ 4,455.36	$ 5,362.00	$ 5,362.00
6510:SC775 Non Discretionary Utilities	$ 1,307.00	$ 1,379.99	$ 2,000.00	$ 2,000.00
6510:SC783 Non Discretionary Electric Vehicle Charging	$ -	$ 20.00	$ -	$ -
Total Operating Expenditures - Non-Discretionary	**$ 114,794.93**	**$ 153,195.47**	**$ 174,368.00**	**$ 174,032.00**
Capital Outlay	**$ 33,772.59**	**$ 114,148.28**	**$ -**	**$ -**
Contingency	**$ -**	**$ -**	**$ 15,000.00**	**$ 15,000.00**
Expense Subtotal	**$ 1,114,215.98**	**$ 1,235,891.57**	**$ 1,262,912.00**	**$ 1,335,306.00**
Net Impact	**$ (23,114.43)**	**$ 33,362.01**	**$ 197,512.00**	**$ 301,356.00**

ASHEVILLE-BUNCOMBE AIR QUALITY AGENCY
FY 2027 BUDGET

BE IT ORDAINED by the Asheville-Buncombe Air Quality Agency that, pursuant to Section 159-13 of the General Statues of North Carolina, the FY 202 Budget Ordinance of the Asheville-Buncombe Air Quality Agency is hereby set forth as follows:

Section 1. The following amounts are hereby appropriated for the operation of the Asheville-Buncombe Air Quality Agency for the fiscal year beginning July 1, 2026, and ending June 30, 2027, in accordance with the following schedules:

EXPENDITURES:

Salaries & Benefits/ Service & Supplies	$1,335,306
Special Projects	$ 0
Capital Outlay	$ 0
Expenditure Totals	**$1,335,306**

Section 2. It is estimated that the following revenues will be available for the fiscal year beginning July 1, 2026 and ending June 30, 2027:

REVENUES:

NC Gasoline Tax Allocation	$160,000
Permits & Inspection Fees	$346,000
Title V Fees	$227,000
Federal 105 Grant Funds	$230,000
Federal PM 2.5 Grant Funds	$65,000
Miscellaneous Income Sources	$5,950
Air Quality Fund Balance Draw	$301,356
Revenue Total	**$ 1,335,306**

Section 3. This Budget Ordinance shall be entered in the minutes of the Asheville-Buncombe Air Quality Agency and within five (5) days after its adoption copies shall be filed with the Finance Officer and the Administrative Assistant to Asheville-Buncombe Air Quality Agency who, for the purposes of this ordinance, is designated as the Clerk to the Agency as described in G.S. 159-13.

Section 4. This ordinance shall become effective on July 1, 2026.

Adopted this _____ day of _____, 2026.

_____
Joel Storrow, Chairman

Attested By:

_____

May 14, 2026

Air Quality

FY2027 Budget Presentation

Ashley Featherstone and Hannah Rhodes

Agenda

A. High-Level Summary
   - Recent trends

B. What's New?
   - Personnel
     - Budget for Temporary/Professional Services (File Digitation Project)
   - Operating
     - Add new ozone monitoring site
     - Increase in travel/training costs
     - Increase in monitoring equipment maintenance costs
     - Added funds for Code Enforcement Team
   - Revenues
     - Decrease in grant funds (reduced amount of one-time funds)
   - Fee Changes
     - Title V fees CPI increase

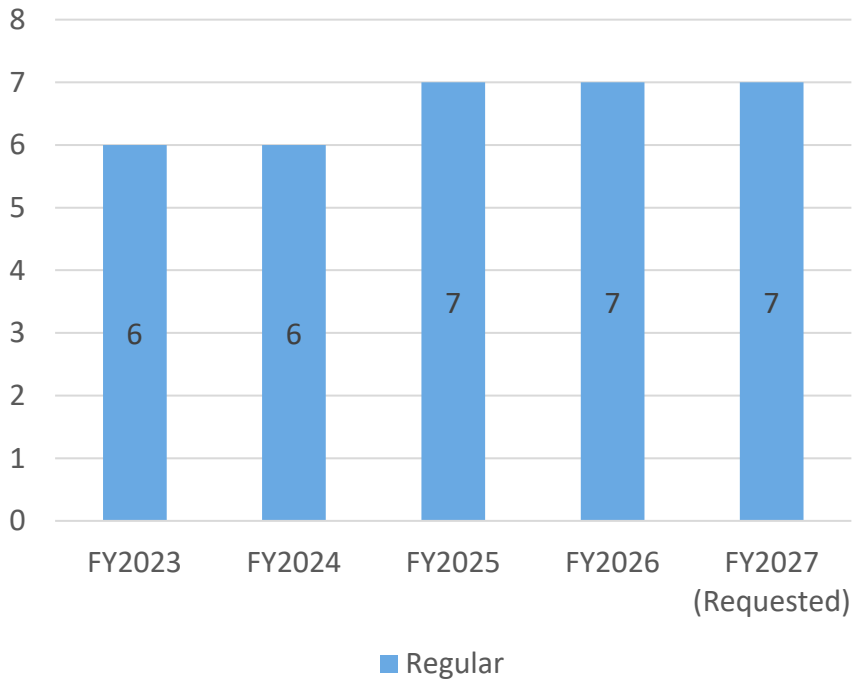
C. Strategic Alignment, Goals, & Accomplishments

High-Level Summary

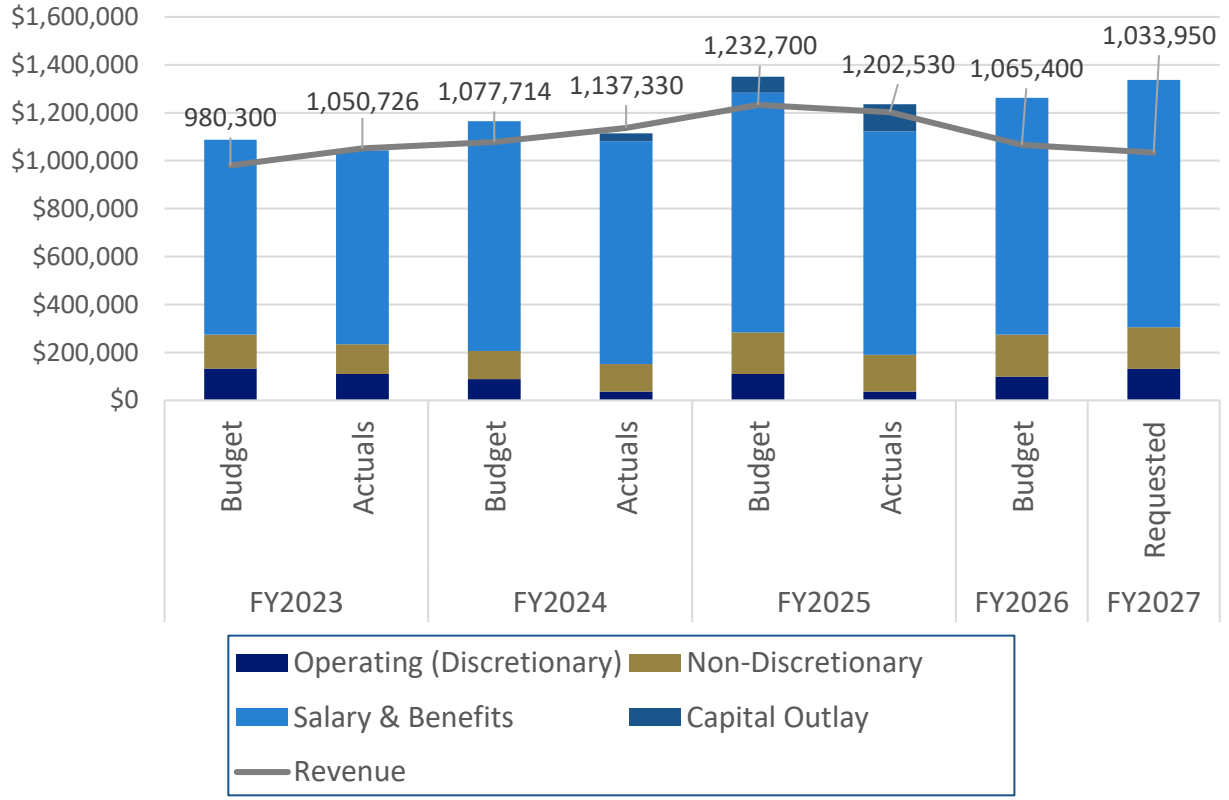
- Current FY26 Budget is about $1,263,000
- Proposed FY27 Budget is $1,335,000 (Increase of $72.4k)
- Federal funding landscape - increasingly uncertain
- Multiple FY26 Projects Pushed Forward to FY27
  - File Digitization - $11k budgeted in FY26-reduced to $5k for FY27
  - New Ozone Site - $35k budgeted for in FY26 as part of a 2-year plan to spread costs out (Total cost in FY27 now $67k)
- Increase in training needs with recent staff retirement - $2k
- Ending of One-Time EPA Funds in June 2026

Why Now? Recent Trends

Headcount



Operating Expenses



What's New? Personnel

Personnel

- Temporary/Professional Services for File Digitization Project

- **Cost:** $5,000 (reduced from $11,000 in FY26)

- **Why?**
- Need to implement modern data management system for files and data. Digitize older files. Electronic permitting for industrial facilities.
- Postponed project from FY26

How does this advance your strategic plan or business plan?

- Improve customer service – operational excellence
- Increase transparency, access to files related to emissions and environmental outcomes

Risks of not approving:

- Unable to comply with new NC rules that allow electronic submittal of permits, reports
- Unable to start digitalization project

Alternatives:

- What could you do without to get this expansion? N/A
- Is there an existing position that could be altered to support this need? No

What's New? Operating

Operating

- New Ground Level Ozone Monitoring Site at AB Tech
- **Cost:** $64,800
  - $16,000 – Concrete Pad & Electrical
  - $46,000 – one Calibrator, one Zero Air Pak, and one Analyzer*
  - $2,800 – IT Software
  - Building-Provided by NC DAQ with MOU**
- **Why?**
- Required by Federal Regulations (40 CFR Part 58 Appendix D)-due to Haywood Co. removal from MSA by OMB in 2023
- Operation required in 2026 (Spring per approved network plan).
- Postponed project from FY26

How does this advance your strategic plan or business plan?

- Environment and Energy Stewardship-Mission

Risks of not approving:

- Failure to meet EPA program requirements

Alternatives:

- What could you do without to get this expansion? N/A

*May potentially need to purchase a second $7,500 Zero Air Pak

** Cost of building that is being saved by partnering with DAQ – $90k

What's New? Operating (Cont.)

Other Noteworthy Operating Items

- **Increase in Travel/Training Costs**
  - **Cost:** $17,991
  - Compare to FY2026 (Budget): $12,996
  - **Why?**
    - Asbestos Certification for 3 staff
    - Airfare for Required EPA Meeting
    - Small increases in other training costs
- **Added Funds for Code Enforcement Team**
  - **Cost:** $3,040
    - Legal Fees: $1,560
    - Postage: $100
    - Permits Fees: $1,200
    - Sheriff Dept Fee: $180
- **Increase in monitoring equipment maintenance costs**
  - **Cost:** $4,170
  - **Why?**
    - Increase in general maintenance costs
    - $2,500 budgeted for unexpected maintenance
    - Shifting funds from "Monitoring Supplies"

Revenue(s)

Grants

EPA 105 Grant

- *Local Air Quality Program*
- FY2023: $214,517
- FY2024: $280,000
- FY2025: $222,974*
- FY2026: $196,213*
- ***FY2027 (Budget): $230,000***

EPA 103 PM 2.5 Grant

- *PM2.5 Monitoring Program*
- FY2024: $84,000
- FY2025: $63,053
- FY2026: $65,000
- ***FY2027 (Budget): $65,000***

EPA 103 One-Time Grants

- FY2023 ARP: $75,700
- FY2024 CAA: $42,214
- FY2025-26 IRA: $233,000

*Supposed to be level 105 funding

Other Revenues

Gas tax reimbursement

- FY2024: $155,494
- FY2025: $155,565
- FY2026 (Budget): $160,000
- ***FY2027 (Budget): $160,000***

Permitting Fees

- FY2024: $538,718
- FY2025: $553,756
- FY2026 (Budget): $539,900
- ***FY2027 (Budget): $573,950***

Total Revenues:

- FY2024: $1,137,330
- FY2025: $1,202,530
- FY2026 (Budget): $1,065,400
- ***FY2027 (Budget): $1,033,950***

Actual Net Impact to Fund Balance (cash and investments)

BCFY	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Revenue	994,734	906,678	1,017,227	1,097,849	888,876	883,227	859,666	943,873	924,593	1,050,726	1,137,330	1,202,530
Expenses	955,695	1,110,699	945,445	1,165,436	915,656	872,797	763,772	824,228	925,285	1,042,689	1,114,216	1,235,892
Difference	39,040	(204,021)	71,782	(67,588)	(26,780)	10,430	95,894	119,645	(692)	8,037	23,114	(33,362)

(Debit to Fund Balance)

Fee Changes

Fee	Description	Existing Rate	Proposed rate	Why?	Estimated Impact
Title V permit fees	This annual CPI increase was adopted into our rules with our fee increases in September 2021.	See final slides for details	Increase of 2.65312%	The Title V fees are required to be sufficient to fully support the program.	Increase in annual revenues by ~$3,120 for TV permitting fees.
Title V tonnage fee	The tonnage fee increase for Title V (TV) facilities may be considered as part of the Agency's budget process each year and requires Air Quality Board approval.		Increase of $1.69 per ton of emissions		Increase in annual revenues by ~$1,048 if the TV tonnage fee increase is approved.

Total increase ~$4,168 in FY26 Title V Revenue

(Tonnage fee increase pending board approval)

Strategic Alignment, Goals, & Accomplishments

Accomplishments in FY26

- Continued increased air monitoring efforts Post Hurricane Helene- equipment loan extended
- Continued Partnerships with UNCA Atmospheric Sciences Dept (low-cost air sensors in community and loaned out older ozone equipment for Meteorological Instruments Course)
- Continue to modernize data management systems with IT (in process)
  - Adding permitted facilities to Accela
  - Taking electronic payments from facilities
- Office Moved to 35 Woodfin-new and improved Air Quality Lab

Focus Areas

Environmental and Energy Stewardship – Reduce GHG Emissions and Protect Air Quality

- Continue support for BC code enforcement team
- Promote energy efficiency and other pollution prevention programs - permitted facilities and community.
- Continue public outreach on air quality awareness with focus on Helene Recovery - smoke from fires and other clean up and rebuilding efforts (reduce exposure to lead, asbestos, dust)
- Supporting firewood banks formed post Helene with EPA Burn Wise Resources

Goals for FY27

- Establish New Ozone Monitoring Site and Resume NC Air Toxics Monitoring at AB Tech
- Work with Strategy & Innovation to map and improve program processes
- Purchase PM sensors to replace loaned equipment for WNC Post Helene Monitoring Project (when loan term ends)
- Educational displays at air quality monitoring and sensor sites
- Increase outreach on open burning
- File retention policy and digitization project

What's New-Air Quality Monitoring Lab 35 Woodfin





Riverside Stump Dump Fire



Started January 9, 2026; Ongoing



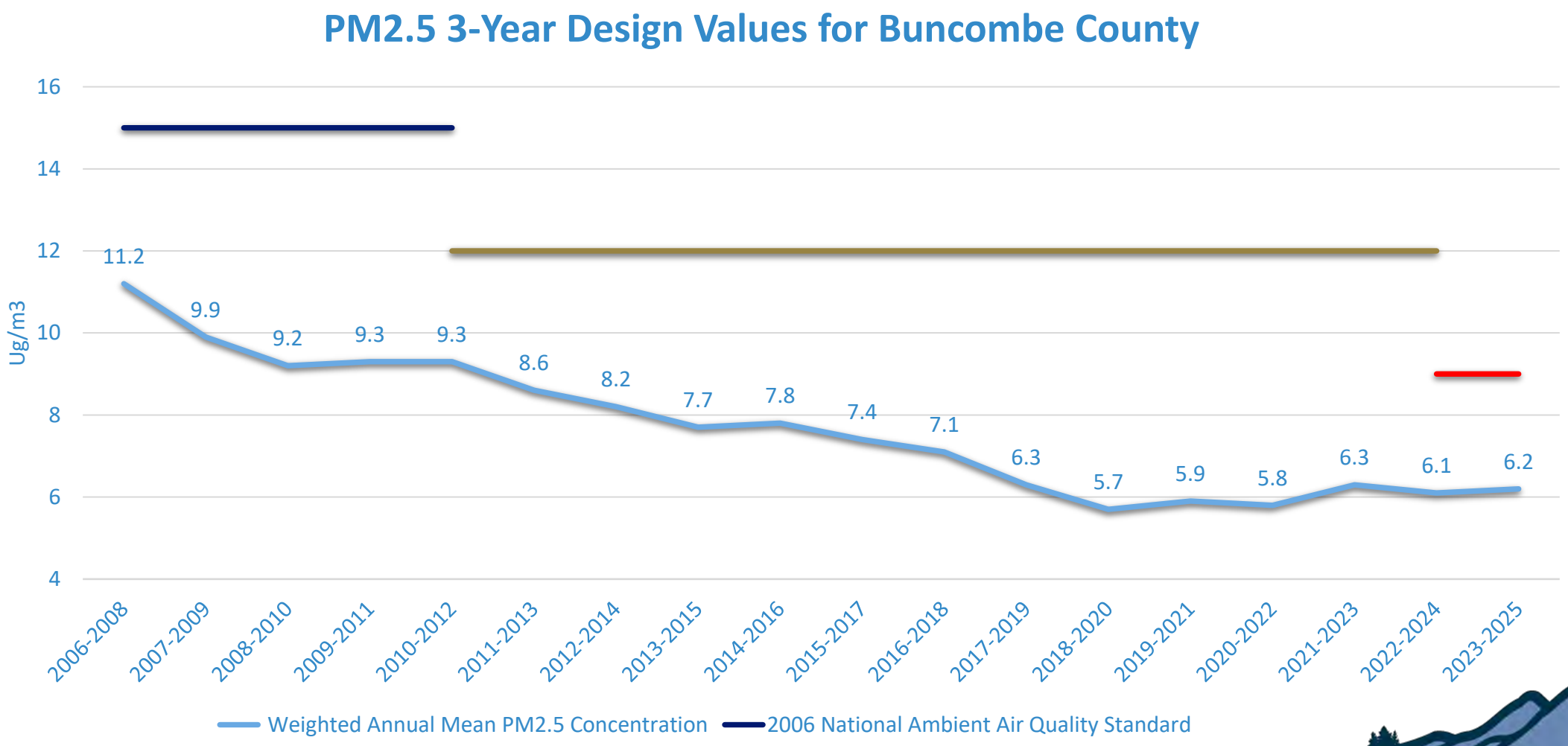
Riverside Stump Dump Fire



View from Board of Ed monitoring site- approximately 1000’



PM2.5 Levels in Buncombe County



*2025 data set incomplete

Helene Response Monitor Locations

Helene AQ response

Locations of ABAQA temporary monitors

2 views

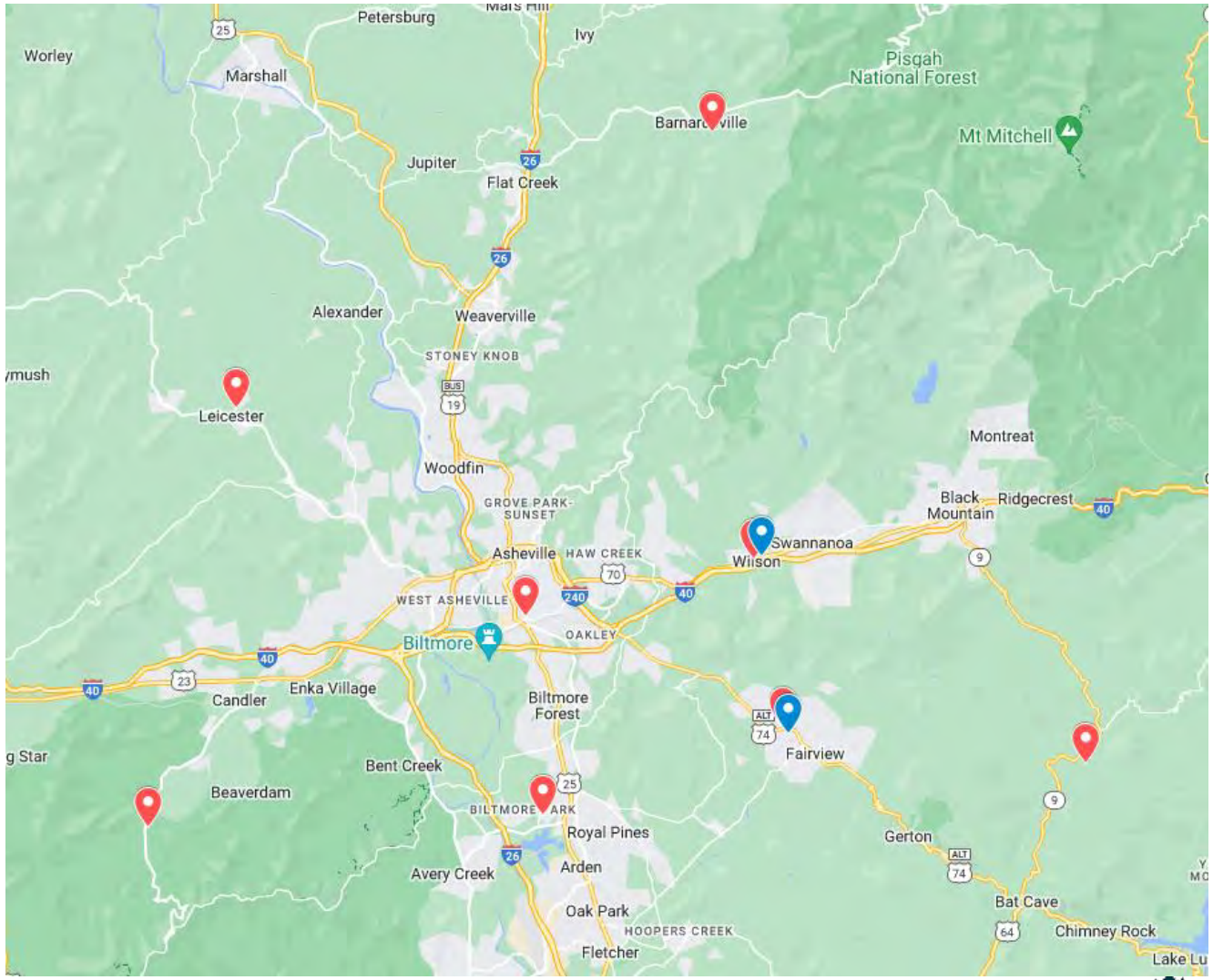
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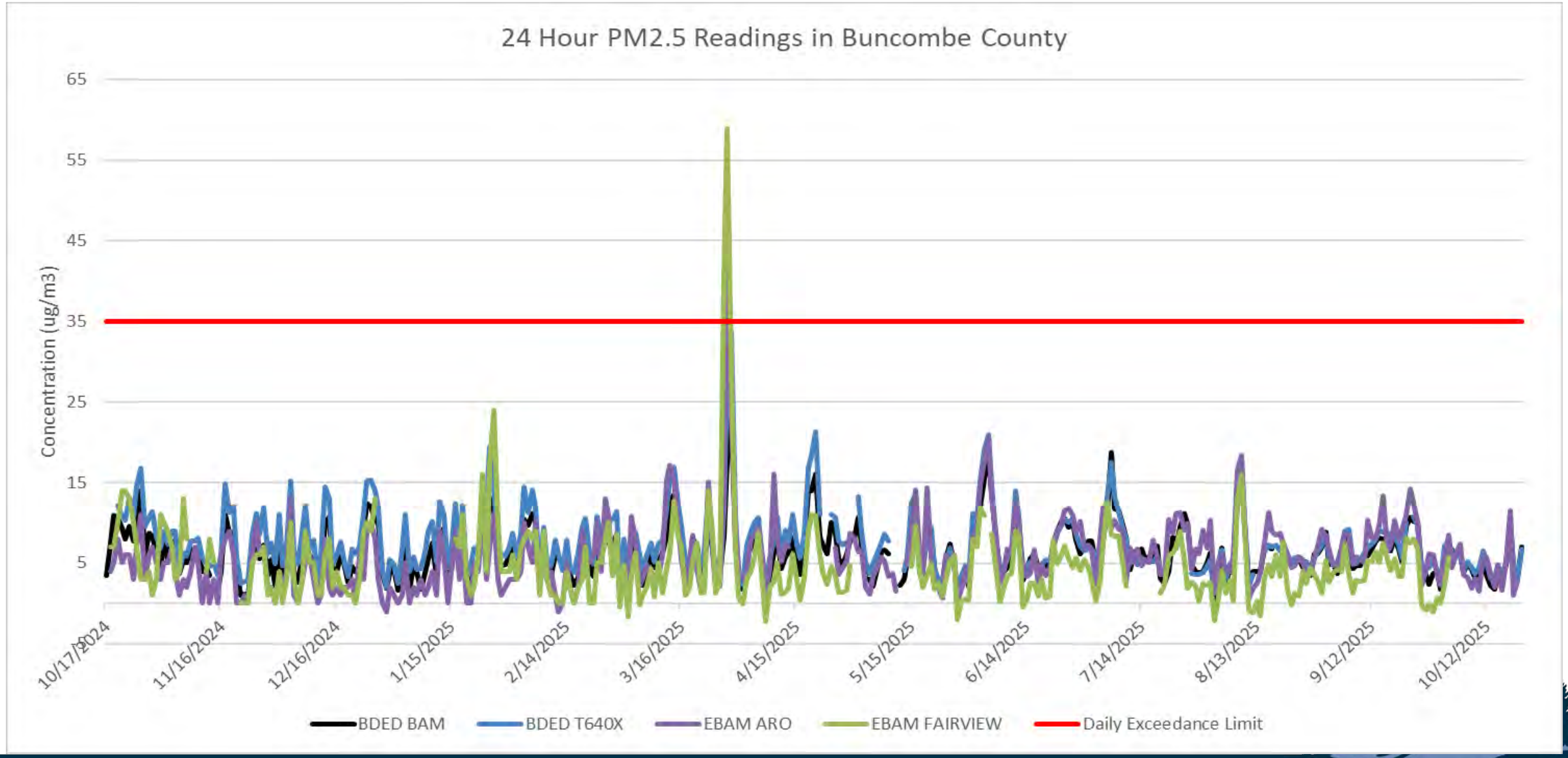
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Individual styles

- Leicester Library (PA)
- Barnardsville FD (PA)
- Upper Hominy Fire (PA)
- Biltmore Village (PA)
- Art Space (PA)
- ARO (EBAM)
- Skyland Library (PA)
- Fairview Library (PA)
- Fairview Elementary (EBAM)
- Broad River FD (PA)



Post Helene Monitoring Results



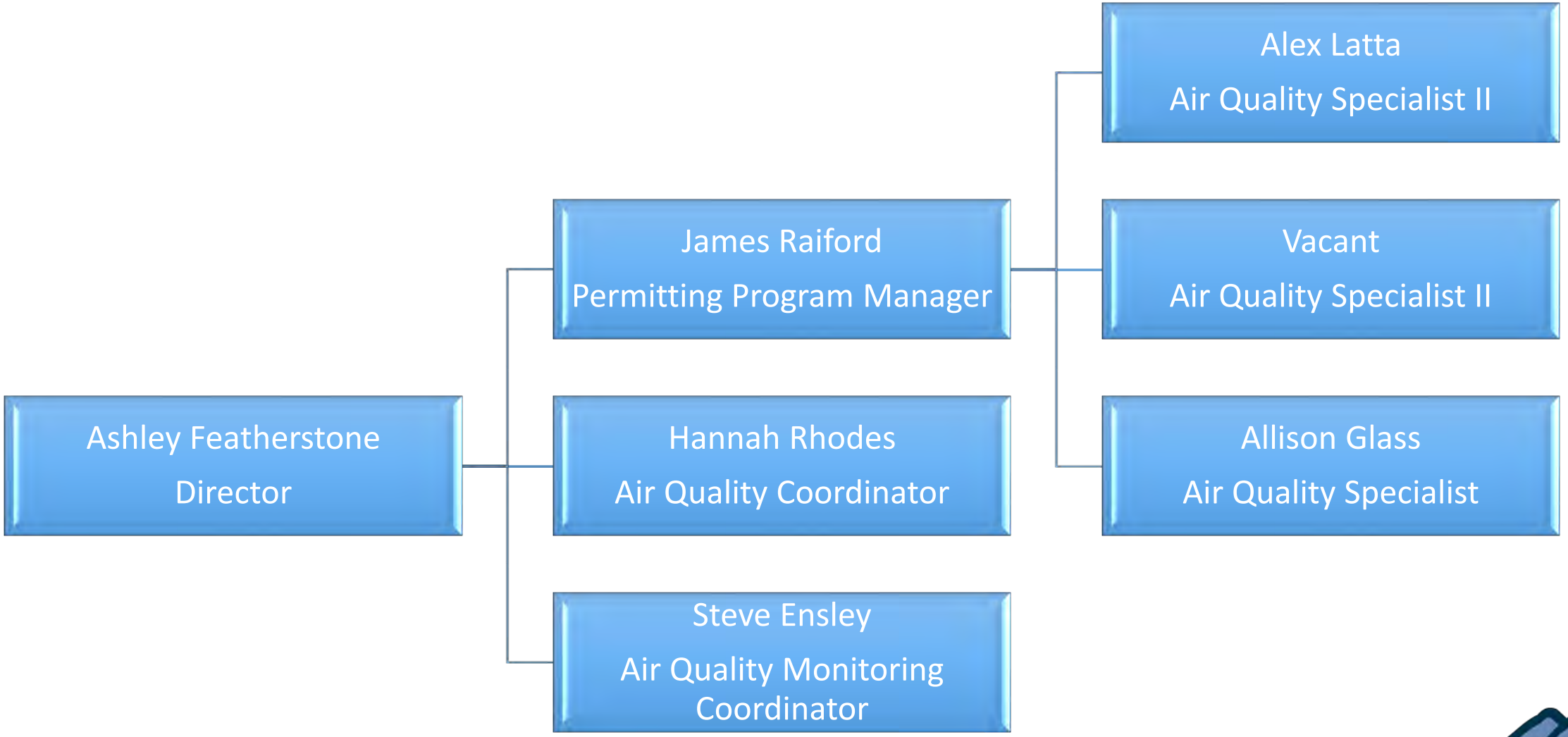
*Courtesy of Jeremy Pope NC DEQ

Resources for Recovery

- Barnardsville Wood Stove Safety Community Event-2026
  - EPA Burn Wise Program
  - Air Awareness-Air Now Fire and Smoke Map
  - Other Agency Services: Open Burning/Dust/Odor
  - How to make a DIY Air Cleaner
  - Wildfire Risk and Mitigation
  - Other county programs



Organizational Chart



Title V Application Fee Change Details

Fee Name	FY2026 Fee	FY2026 Unit	FY2027 Proposed Fee	FY2027 Proposed Unit
Initial Application or Major Modification or Renewal	$12,066	Per Application	$12,386	Per Application
Initial Application or Major Modification (PSD **or** NSR/NAA)	$18,099	Per Application	$18,579	Per Application
Initial Application and Major Modification (PSD **and** NSR/NAA)	$36,196	Per Application	$37,157	Per Application
Minor Modification	$3,620	Per Application	$3,716	Per Application
17.0300 Permit	$1,207	Per Application	$1,239	Per Application
General Title V Air Curtain Incinerator	10% of otherwise applicable fee	Per Application	10% of otherwise applicable fee	Per Application

Title V Annual Source Fee Change Details

Fee Name	FY2026 Fee	FY2026 Unit	FY2027 Proposed Fee	FY2027 Proposed Unit
Annual Base Fee	$12,066	Per Year	$12,386	Per Year
Annual Medium Complexity Fee (3-5 Federal Programs)	$3,016	Per Year	$3,096	Per Year
Annual High Complexity Fee (6 or more Federal Programs)	$9,049	Per Year	$9,289	Per Year
Title V Tonnage Fee (no change to 100 ton minimum)	$64	Per Ton	$65	Per Ton
Nonattainment Area Added Fee	$4,826	Per Year	$4,954	Per Year
General Title V Air Curtain Incinerator	10% of otherwise applicable fee	Per Year	10% of otherwise applicable fee	Per Year

MEMORANDUM

DATE: February 18, 2026

TO: File

FROM: Greg DeAngelo, Executive Director

SUBJECT: Tracking EPA's Regulatory Actions

The U.S. Environmental Protection Agency (EPA) regulatory development team at EPA's Office of State Air Partnerships (in the Air Quality Planning Division) continue to launch a great number of regulatory projects, many of which implement the 31 actions announced in EPA's press releases from March 12, 2025.[1]

The following table will track the air-related actions taken by EPA, and it will provide links and deadlines to provide comments to the agency. This table will be updated periodically as EPA takes more regulatory actions, issues guidance documents, and pursues other related activities. Rows that are new or updated from the previous table are indicated by a red star (★).

Items from the March 12, 2025 Press Releases

Action(s) Taken / Rule(s) Addressed	Status	Links
Repeal of GHG Emissions Standards for Fossil Fuel-Fired Electric Generating Units (1) Repeal all GHG emissions standards for the power sector under CAA section 111; or, alternatively, (2) Revise the BSER determination to remove CCS and natural gas co-firing Press release addressed: "Reconsideration of regulations on power plants"	Proposed rule 6/17/2025 Public hearing 7/8/2025 (8:00 am ET) Comments due 8/7/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/greenhouse-gas-standards-and-guidelines-fossil-fuel-fired-power Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0124
Extension of deadlines for NSPS and EG for Oil and Natural Gas Sector Final rule (signed 11/26/2025) adds time for state plans for 40 CFR 60 subparts OOOOb and OOOOc, i.e., the GHG standards for oil and gas under 111(d). 1/22/2027 is new deadline for state plans; federal plan would be expected after that. Press release addressed: "Reconsideration of regulations throttling the oil and gas industry"	Interim final rule 7/31/2025 Final rule 12/3/2025	EPA web page https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations/2025-interim-final-rule-extend-compliance Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0162

Action(s) Taken / Rule(s) Addressed	Status	Links
Repeal of Mercury and Air Toxics Standards (MATS) Proposal to repeal portions of the 5/7/2024 amendments to 40 CFR 63 subpart UUUUU related to the filterable PM emission standard for coal-fired EGUs and the revised Hg emission standard for lignite-fired EGUs. Press release addressed: "Reconsideration of Mercury and Air Toxics Standards that improperly targeted coal-fired power plants"	Proposed rule 6/17/2025 Public hearing 7/10/2025 (11:00 am ET) Comments due 8/11/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/mercury-and-air-toxics-standards Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2018-0794
Reconsideration of GHG Reporting Proposal to amend the GHG reporting program to remove obligations for most source categories, including oil and natural gas distribution, and suspending other oil and natural gas reporting obligations until 2034. Press release addressed: "Reconsideration of mandatory Greenhouse Gas Reporting Program that imposed significant costs on the American energy supply	Proposed rule 9/16/2025 Public hearing 10/1/2025	EPA web page https://www.epa.gov/ghgreporting GHG Reporting Program web page for rulemaking notices https://www.epa.gov/ghgreporting/rulemaking-notices-ghg-reporting Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0186
★ **2009 GHG Endangerment Finding** Press release addressed: "Reconsideration of the 2009 Endangerment Finding and regulations and actions that rely on that Finding"	Proposed rule 8/1/2025 Final rule 2/18/2026	EPA web page https://www.epa.gov/regulations-emissions-vehicles-and-engines/proposed-rule-reconsideration-2009-endangerment-finding Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0194
★ **Reconsideration of Automobile GHG Rules** Press release addressed: "Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate"		
Risk Management Program Rule Press release addressed: "Reconsideration of Biden-Harris Administration Risk Management Program rule that made America's oil and natural gas refineries and chemical facilities less safe"		

Action(s) Taken / Rule(s) Addressed	Status	Links
Revisiting the PM2.5 NAAQS EPA filed a motion to vacate the 2/7/2024 PM NAAQS reconsideration on the grounds that the CAA process was not followed and that EPA did not appropriately consider costs. Press release addressed: "Reconsideration of Particulate Matter National Ambient Air Quality Standards that shut down opportunities for American manufacturing and small businesses"	Motion for Vacatur 11/24/2025	EPA web page https://www.epa.gov/pm-pollution/national-ambient-air-quality-standards-naaqs-pm
NESHAP (and Adjacent) Reconsiderations Press release addressed: "Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors"		
Aerosol coatings national VOC emission standards—interim final rule to revise compliance date (from 7/17/2025 to 1/17/2027) for 40 CFR 59 subpart E.	Interim final rule 7/2/2025 Comments due 8/1/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/aerosol-coatings-national-volatile-organic-compound-emission Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2006-0971
Integrated iron and steel NESHAP—final rule (signed 11/26/2025) to revise compliance date (from 7/1/2025 to 4/3/2027) for 40 CFR 63 subpart FFFFF.	Interim final rule 7/3/2025 Final rule (not yet published)	EPA web page https://www.epa.gov/stationary-sources-air-pollution/integrated-iron-and-steel-manufacturing-national-emission Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2002-0083
Coke ovens NESHAPs—interim final rule to revise compliance date (from 7/7/2025 and 1/6/2026 to 7/5/2027) for 40 CFR 63 subparts L and CCCCC. EPA rescinded the interim final rule. Instead, subject sources were granted a 112(i)(4) 2-year exemption from compliance (see below).	Interim final rule 7/8/2025 Interim final rule rescission 12/5/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/coke-ovens-batteries-national-emissions-standards-hazardous-air and https://www.epa.gov/stationary-sources-air-pollution/coke-ovens-pushing-quenching-and-battery-stacks-national-emission Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2003-0051 and https://www.regulations.gov/docket/EPA-HQ-OAR-2002-0085

Action(s) Taken / Rule(s) Addressed	Status	Links
Secondary Lead Smelting NESHAP—proposed rule ending the ongoing reconsideration and risk review of the NESHAP, without lowering or adding emissions limits.	Proposed rule 10/1/2025 Comments now due 12/8/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/secondary-lead-smelting-national-emissions-standards-hazardous-air Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0078
★ **Restructuring the Regional Haze Program (new glidepath policy)** In several recent SIP actions, EPA has announced the following new policy: "Where visibility conditions for a Class I area impacted by a State are below the URP and the State has considered the four statutory factors, the State will have presumptively demonstrated reasonable progress for the second planning period for that area." The new policy was first announced in the West Virginia SIP approval and then subsequently announced in SIP approvals for many other states. EPA has requested comment on the new policy, but it has not formally kicked off a rulemaking project to revise the regional haze rule.	EPA web page https://www.epa.gov/visibility/visibility-regulatory-actions Federal Register notices referencing new policy West Virginia (4/18/25) – final (7/7/25) S Dakota (5/14/25) – final (8/28/25) Vermont (5/23/25) – final (11/18/25) Texas (5/23/25) – final (12/5/25) California (6/18/25) – final (9/5/25) Indiana (6/18/25) – extended (7/16/25) final (1/26/26) Michigan (6/18/25) – final (9/5/25) Ohio (8/30/24) – final (7/8/25) Colorado (7/16/25) – final full disapproval (1/26/26) Washington (7/24/25) – final (9/25/25) S Carolina (7/31/25) – final (12/11/25) correction (12/30) Tennessee (8/19/25) – final (12/11/25) Arkansas (9/5/25) Montana (9/11/25) – final (11/28/25) Nevada (10/23/25) – final (2/6/25) Alaska (10/30/25) – extended (11/20/25) Rhode Island (11/20/25) Oklahoma (2/12/26)	
Restructuring the Regional Haze Program (extension of SIP due date) Extends due date three years (to 7/31/2031) but makes no other changes to the planning period, progress report due dates, etc.	Proposed rule 12/23/2024 Final rule 1/6/2026	Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2023-0262
Restructuring the Regional Haze Program (regional haze rule revisions) Press release addressed: "Restructuring the Regional Haze Program that threatened the supply of affordable energy for American families"	Advance Notice of Proposed Rulemaking 10/2/2025	Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-1477

Action(s) Taken / Rule(s) Addressed	Status	Links
Ending the Good Neighbor Plan Proposed rule regarding interstate transport for the 2015 8-hour ozone NAAQS, including: withdrawal of previously proposed disapproval for TN, removing "good neighbor" provisions from 10 states, and approving SIPs for AL, KY, MS, and TN. (Also impacts other states.) Press release addressed: "Ending so-called 'Good Neighbor Plan' which the Biden-Harris Administration used to expand federal rules to more states and sectors beyond the program's traditional focus and led to the rejection of nearly all State Implementation Plans"	Proposed rule 1/30/2026	EPA web page https://www.epa.gov/Cross-State-Air-Pollution/interstate-transport-2015-ozone-naaqs Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2025-0192
Resolve SIP Backlog Press release addressed: "Working with states and tribes to resolve massive backlog with State Implementation Plans and Tribal Implementation Plans that the Biden-Harris Administration refused to resolve"		
Reconsider Exceptional Events Rules New EPA policy states that SIPs should not limit strategic deployment of prescribed fire as part of control strategies for NAAQS nonattainment or regional haze. Press release addressed: "Reconsideration of exceptional events rulemaking to work with states to prioritize the allowance of prescribed fires within State and Tribal Implementation Plans"	Final policy 10/16/2025	EPA press release https://www.epa.gov/newsreleases/epa-issues-policy-guidance-help-prevent-catastrophic-wildfires-promote-use-prescribed
Reconstitute Science Advisory Board (SAB) and CASAC The nomination period for the boards is now closed. EPA will publish a List of Candidates on the CASAC and SAB web pages, followed by a a 21-day public comment period. Press release addressed: "Reconstituting Science Advisory Board and Clean Air Scientific Advisory Committee"	Published 5/1/2025 CASAC SAB CASAC list published 7/8/2025 Comments due 7/29/2025	EPA web pages https://casac.epa.gov and https://sab.epa.gov CASAC candidate list
Overhauling Social Cost of Carbon Press release addressed: "Overhauling Biden-Harris Administration's 'Social Cost of Carbon' "		

Action(s) Taken / Rule(s) Addressed	Status	Links
Redirecting Enforcement Resources Press release addressed: "Redirecting enforcement resources to EPA's core mission to relieve the economy of unnecessary bureaucratic burdens that drive up costs for American consumers"		
Terminating EJ and DEI Programs Press release addressed: "Terminating Biden's Environmental Justice and DEI arms of the agency"		
Enforcement Discretion to further NC Recovery from Hurricane Helene Press release addressed: "Utilizing enforcement discretion to further North Carolina's recovery from Hurricane Helene"		Hurricane Helene resources (link for Metro 4/SESARM directors) Storm Debris

Other Rulemakings and Related Actions

Action / Rule Addressed	Status	Links
Temporary CISWI Use for Disaster Recovery Interim final rule to provide for incinerators (including ACI) subject to CISWI to combust debris from a disaster or emergency on a temporary basis.	Final rule 8/26/2025 Comments due 10/10/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/commercial-and-industrial-solid-waste-incineration-units-ciswi-new
Other Solid Waste Incinerators (OSWI) Final rule (signed 6/17/2025) sets emissions standards for OSWI, including SSM provisions and new subcategories. Does not update requirements associated with ACIs and permitting. Amendments impact NSPS and EG at 40 CFR 60 subparts A, CCCC, DDDD, EEEE, and FFFF.	Final rule published 6/30/2025 Effective 8/29/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/other-solid-waste-incinerators-oswi-new-source-performance Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2003-0156

Action / Rule Addressed	Status	Links
Removal of Affirmative Defense Provisions from Specified NSPS and NESHAP Affirmative defense provisions in some NSPS and NESHAP allow sources to demonstrate that despite efforts to avoid a malfunction, a standard was violated. Provision was vacated in a court case and is being systematically removed.	Proposed rule 6/24/2024 (Addressed 18 NESHAP and NSPS rules.)	Final Rules Polyether Polyols (9/2/2025) EPA web page https://www.epa.gov/stationary-sources-air-pollution/removal-affirmative-defense-provisions-specified-new-source Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2023-0509
Hazardous Waste Combustors (HWC) NESHAP Withdrawal of SSM provisions proposed in July 2024, along with proposal of new limits, SSM provisions, electronic reporting, and other requirements.	Proposed rule 10/10/2025 Comments due 12/26/2025	EPA web page https://www.epa.gov/stationary-sources-air-pollution/hazardous-waste-combustors-national-emission-standards-hazardous Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2004-0022
Project Emissions Accounting Rule (PEAR) Proposed rule to clarify the process for evaluating whether NSR permitting applies to projects at existing major sources.	Proposed rule 5/3/2024 Withdrawn 7/21/2025	EPA web page https://www.epa.gov/nsr/nsr-regulatory-actions Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0381
Title V Applicable Requirements Rule Proposed rule to set policy regarding when and whether applicable NSR requirements should be reviewed or modified via Title V permitting. Final rule is at EPA senior management review.	Proposed rule 1/9/2024	EPA web page https://www.epa.gov/title-v-operating-permits/current-regulations-and-regulatory-actions Docket https://www.regulations.gov/docket/EPA-HQ-OAR-2023-0401
Begin Actual Construction EPA is planning to propose rules to define begin actual construction, providing more flexibility to determine on a case-by-case basis what activities can occur prior to permit issuance.	In development (expected in fall) Maricopa Co. determination 9/2/2025	EPA web page https://www.epa.gov/nsr/construction-activities-allowed-obtaining-preconstruction-air-permit
Minor Source NSR Guidance EPA had discussed issuing draft guidance for public comment. EPA now plans a rulemaking effort. Proposed rule at EPA senior management review.	In development (expect proposal in Jan or Feb)	EPA web page https://www.epa.gov/nsr/minor-new-source-review-program-public-notice-requirements-under-40-cfr-51161b3

Action / Rule Addressed	Status	Links
Air Curtain Incinerator Consolidation EPA plans an action to consolidate the rules for ACIs that only burn wood wastes, yard wastes, and clean lumber into a single location.	In development	OMB regulatory agenda web page https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202410&RIN=2060-AW43
Actual to Projected Actual Proposed rule at EPA senior management review.		
Source Reactivation Proposed rule at EPA senior management review.		
Title V Emergency Affirmative Defense EPA staff have briefed senior management and are waiting for direction.		
Major MACT to Area (MM2A) S.J. Res. 31 disapproved the 2024 amendments to the 2020 MM2A rule. The 2024 MM2A rule is "treated as though it had never taken effect." The 2024 amendments had impacted sources of seven persistent and bioaccumulative HAP under CAA 112(c)(6).	Joint resolution 6/20/2025 Final rule 1/2/2026	https://www.epa.gov/stationary-sources-air-pollution/reclassification-major-sources-area-sources-under-section-112
Stationary Combustion Turbines NSPS Amendments to the NSPS for stationary combustion turbines and stationary gas turbines (40 CCR 60 subpart GG, KKKK, and new KKKKa). Requires combustion controls including SCR for NOx. Maintains current SO2 limits (low-sulfur fuels).	Proposed rule 12/13/2024 Final rule 1/15/2026	https://www.epa.gov/stationary-sources-air-pollution/stationary-gas-and-combustion-turbines-new-source-performance

112(i)(4) Presidential Exemptions (2-year delay in MACT compliance date)

Action / Rule Addressed	Status	Links
Coal- and Oil-Fired Electric Utility Steam Generating Units (MATS, 1st proclamation) 40 CFR 63 Subpart UUUUU	Proclamation	EPA web page Fact sheet List of sources https://www.epa.gov/system/files/documents/2025-04/regulatory-relief-for-certain-stationary-annex-1.pdf

Action / Rule Addressed	Status	Links
Coal- and Oil-Fired Electric Utility Steam Generating Units (MATS, 2nd proclamation) 40 CFR 63 Subpart UUUUU	Proclamation (includes list of sources)	EPA web page Fact sheet
ETO Sterilizers 40 CFR 63 Subpart O	Proclamation (includes list of sources)	EPA web page Fact sheet
HON; Group I and II Polymers and Resins Multiple (link to initial ETO-related final rule)	Proclamation (includes list of sources)	EPA web page Fact sheet
Taconite Iron Ore Processing 40 CFR 63 Subpart RRRRR	Proclamation (includes list of sources)	EPA web page Fact sheet
Coke Ovens: Pushing, Quenching, and Battery Stacks and Coke Oven Batteries	Proclamation (includes list of sources)	EPA web page

[1] There were not 31 distinct press releases, but the talking points from EPA consistently referred to "31 actions." To get to 31, you have to individually count each of the three mobile source GHG rules and each of the eight NESHAP rules. The full list of 31 actions follow:

1. Reconsideration of regulations on power plants (Clean Power Plan 2.0)
2. Reconsideration of regulations throttling the oil and gas industry (OOOO b/c)
3. Reconsideration of Mercury and Air Toxics Standards that improperly targeted coal-fired power plants (MATS)
4. Reconsideration of mandatory Greenhouse Gas Reporting Program that imposed significant costs on the American energy supply (GHG Reporting Program)
5. Reconsideration of limitations, guidelines and standards (ELG) for the Steam Electric Power Generating Industry to ensure low-cost electricity while protecting water resources (Steam Electric ELG) *(NOTE: not CAA)*
6. Reconsideration of wastewater regulations for coal power plants to help unleash American energy (Oil and Gas ELG) *(NOTE: not CAA)*
7. Reconsideration of Biden-Harris Administration Risk Management Program rule that made America's oil and natural gas refineries and chemical facilities less safe (Risk Management Program Rule)
8. Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate (Car GHG Rules) – Multi-pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles
9. Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate (Car GHG Rules) – Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles, Phase 3
10. Reconsideration of light-duty, medium-duty, and heavy-duty vehicle regulations that provided the foundation for the Biden-Harris electric vehicle mandate (Car GHG Rules) – Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards
11. Reconsideration of the 2009 Endangerment Finding and regulations and actions that rely on that Finding (Endangerment Finding)
12. Reconsideration of technology transition rule that forces companies to use certain technologies that increased costs on food at grocery stores and semiconductor manufacturing (Technology Transition Rule)
13. Reconsideration of Particulate Matter National Ambient Air Quality Standards that shut down opportunities for American manufacturing and small businesses (PM 2.5 NAAQS)
14. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) - ("HON Rule").
15. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Sterilizer Rule")

16. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Rubber Tire Rule")
17. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Copper Rule")
18. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Iron and Steel Rule")
19. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Lime Rule")
20. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Coke Ovens Rule").
21. Reconsideration of multiple National Emission Standards for Hazardous Air Pollutants for American energy and manufacturing sectors (NESHAPs) – ("Taconite Rule")
22. Restructuring the Regional Haze Program that threatened the supply of affordable energy for American families (Regional Haze)
23. Overhauling Biden-Harris Administration's "Social Cost of Carbon"
24. Redirecting enforcement resources to EPA's core mission to relieve the economy of unnecessary bureaucratic burdens that drive up costs for American consumers (Enforcement Discretion)
25. Terminating Biden's Environmental Justice and DEI arms of the agency (EJ/DEI)
26. Ending so-called "Good Neighbor Plan" which the Biden-Harris Administration used to expand federal rules to more states and sectors beyond the program's traditional focus and led to the rejection of nearly all State Implementation Plans
27. Working with states and tribes to resolve massive backlog with State Implementation Plans and Tribal Implementation Plans that the Biden-Harris Administration refused to resolve (SIPs/TIPs)
28. Reconsideration of exceptional events rulemaking to work with states to prioritize the allowance of prescribed fires within State and Tribal Implementation Plans (Exceptional Events)
29. Reconstituting Science Advisory Board and Clean Air Scientific Advisory Committee (SAB/CASAC)
30. Prioritizing coal ash program to expedite state permit reviews and update coal ash regulations (CCR Rule) *(NOTE: not CAA—see CCR actions published in Federal Register on 7/22/2025)*
31. Utilizing enforcement discretion to further North Carolina's recovery from Hurricane Helene

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL ABRACZINSKAS
Director

NORTH CAROLINA
Environmental Quality

March 10, 2026

Jeffrey A. Hall, Assistant Administrator
U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
Mail Code 2201A
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Request for No Action Assurance for the Use of Air Curtain Incinerators to Manage Debris Caused by Hurricane Helene in North Carolina

Dear Mr. Hall:

The State of North Carolina and the North Carolina Department of Environmental Quality (DEQ) respectfully request a "No Action Assurance (NAA) for the Use of Air Curtain Incinerators (ACIs) to Manage Debris Caused by Hurricane Helene in North Carolina," from the U.S. Environmental Protection Agency's (EPA's) Office of Enforcement and Compliance Assurance (OECA). The NAA request is intended to help facilitate efficient and safe processing of certain disaster debris using ACIs in western North Carolina following the widespread and tragic destruction caused by Hurricane Helene.

North Carolina experienced impacts from Hurricane Helene starting on September 26, 2024. The unprecedented magnitude of flooding, landslides, and wind damage from this storm produced devastating impacts in Western North Carolina (WNC), including tragic losses of lives and significant infrastructure and property damage. As a result, on September 28, 2024, the President of the United States approved an Expedited Major Disaster Declaration, FEMA-4827-DR, for the State of North Carolina under the Stafford Act. Stafford Act declarations do not expire, nor do they have set durations established in statute or regulation. Recovery efforts continue, including major repairs to water and wastewater infrastructure, transportation, and other critical infrastructure. All options for managing disaster debris, including the use of ACIs for burning wood waste, clean lumber, and yard waste, have been considered with public health and safety in the forefront. DEQ has been assisting a wide range of stakeholders, including federal, state, and local governmental agencies, to navigate complex federal regulations that apply to ACIs for disaster debris management.

The significant challenge of managing the extraordinary amount of disaster debris caused by Hurricane Helene has involved all available methods of disposal while considering site specific facts and logistical challenges. Best practices and guidance on all available methods of processing disaster debris have been shared with all entities involved in the cleanup efforts. Mulching or grinding of the vegetative debris has come with challenges. In many instances, mulch piles were not properly maintained leading to numerous instances of large fires.[1,2] In situations where the burning of vegetative debris was the only remaining option for disaster debris management, DEQ encouraged use of ACIs (regardless of size) over open

[1] https://wlos.com/news/local/mulch-fire-tbd-landfill-smoke-across-haywood-county-emergency-services-canton-clyde-north-canton-fire-department-interstate-40-debris-nc-department-of-environmental-quality-air-quality-division-contained-woody-debris
[2] https://www.wbtv.com/2025/04/08/incredible-pictures-show-massive-mulch-fire-western-north-carolina/

burning due to it being better for public health (producing less particle pollution) and public safety (from a wildfire prevention perspective).

A previous NAA for this same purpose was issued by EPA's OECA on November 21, 2024, and extended on March 12, 2025. The NAA allowed the use of new ACIs with capacities greater than 35 tons per day in North Carolina without the owner/operator first obtaining a Title V permit pursuant to 40 CFR 60.2242. This NAA was in the public interest because reduction of debris with larger capacity ACIs is cleaner and safer than other options, which include open burning without any controls. It also allowed the state to manage debris disposal quicker than would be possible with the smaller capacity ACIs, thereby advancing recovery efforts across the state.

This previous NAA expired on September 1, 2025, and DEQ did not pursue another extension request due to EPA's interim final rule (IFR) for "Commercial and Industrial Solid Waste Incineration (CISWI) Units: Temporary-Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery," effective on August 26, 2025. The IFR for CISWI units established temporary-use disaster recovery and emergency provisions similar to those in the federal rules for Other Solid Waste Incineration (OSWI) units. The IFR for CISWI units was challenged in the U.S. Court of Appeals for the DC Circuit Docket No. 25-1227, *Sierra Club, et al. v. EPA.* In an unopposed motion filed on February 11, 2026, it states that, "Because the 2025 hurricane and wildfire disaster seasons have passed and based on public comments EPA received on the Interim Rule, EPA has determined that it is appropriate to rescind the Rule and propose a new rule through notice-and-comment rulemaking." In the filing, Aaron Szabo stated "EPA intends to sign a final action rescinding the Interim Final Rule by March 13, 2026." With the imminent rescission of the IFR and the temporary-use disaster recovery and emergency provisions, DEQ respectfully requests that the EPA grant this NAA request to allow for continued use of larger ACIs for disaster debris management in North Carolina without first obtaining a Title V permit.

This NAA request is further supported by the following new and updated information that was not available at the time of the previous NAA:

- On December 13, 2024, North Carolina's former Governor Cooper and the Office of State Budget and Management released a Revised Damage and Needs Assessment[3] related to Hurricane Helene Recovery. The document noted that the storm added an estimated 6.8 million tons of vegetative fuels into the environment. Timber and associated debris are ignitable fuels on the forest floor that increase wildfire risk. Furthermore, it mentioned that debris removal is progressing, with 108 active Temporary Debris Storage and Reduction Sites across 20 counties. A staggering 10,445,000 cubic yards of debris have been cleared from 27 counties.

- On April 8, 2025, NOAA's National Hurricane Center issued a report[4] on Hurricane Helene, stating, "The North Carolina Forest Service (NCFS) estimated 822,000 acres of damaged timberland, which resulted in $214 million in damages to North Carolina forests." This was also noted in the NCFS Forest Damage Appraisal for Hurricane Helene dated October 22, 2024[5], which noted the damage distribution between ownership was estimated to be: 21% public (US Forest Service and other public ownerships); 78% private (private individuals, corporations, and other ownerships); and 1% reserved lands (reserved areas such as park lands).

[3] https://www.osbm.nc.gov/hurricane-helene-dna/open
[4] https://www.nhc.noaa.gov/data/tcr/AL092024_Helene.pdf
[5] https://www.ncagr.gov/divisions/nc-forest-service/NCFS-HurricaneHelene_DamageAssessment.pdf/open

- On June 26, 2025, a blog post from the North Carolina State Climate Office[6] described a "domino effect" of high winds that downed power lines, sparking two wildfires in December 2024 in McDowell County, an area heavily impacted by Hurricane Helene. The wildfire grew to more than 500 acres and took four days to contain. The post also mentions the 644-acre North Fork fire and the 220-acre Crooked Creek fire in January 2025, and the 2,085-acre Bee Rock Creek fire in April 2025.

- On July 10, 2025, NCFS gave a presentation[7] to the North Carolina Environmental Management Commission on "Helen and Wildfire Risk in North Carolina." It noted that "Large Timber will dry over time and contribute to wildfire intensity over a long period of time (15+ years)." In WNC, there are now 3,063 structures near severe blowdown on dry, fire-prone sites compared to the background fire hazard. Based on data collected from 1970-2025, the 2025 WNC Spring Wildfire Season was the worst on record based on final total acreage. It should also be noted that North Carolina has more acres of wildland-urban interface - areas where structures are built near forestlands - than any other U.S. state.[8]

- On February 24, 2026, data obtained from the National Integrated Drought Information System[9] indicated that 13.3% of NC is in moderate drought, 81.5% is in severe drought, and 5.2% is in extreme drought. Most of WNC is in the severe drought category, and drought conditions are expected to persist into the 2026 WNC Spring Wildfire Season.[10]

DEQ is also aware that U.S. EPA's Office of Air and Radiation is working on proposed rulemaking[11] that would consolidate standards (federal rules) for ACIs that only burn wood wastes, yard wastes, and clean lumber. Public information on this proposed rulemaking states, "Currently, emission standards for air curtain incinerators (ACIs) that only burn wood wastes, yard wastes and clean lumber have been promulgated under four different source categories: Large Municipal Waste Combustors, Small Municipal Waste Combustors, Commercial and Industrial Solid Waste Incineration Units, and Other Solid Waste Incineration Units. The division of ACI standards across four source categories has resulted in inconsistencies in the rules. Additionally, this division has created uncertainty within industries about which rules apply. The current action would consolidate the rules provisions for ACIs that only burn wood wastes, yard wastes and clean lumber into a single location and resolve inconsistencies in the rules."

In light of this information, it is important that Hurricane Helene vegetative debris management and reduction continues in North Carolina by using larger capacity ACIs. As such, DEQ respectfully requests that the U.S. EPA grant this NAA request for a six-month period.

[6] https://climate.ncsu.edu/blog/2025/06/helenes-damage-presents-fire-management-monitoring-challenges/
[7] https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=3913306&dbid=0&repo=WaterResources
[8] https://news.ncsu.edu/2025/10/wildfire-risks-from-hurricane-helene-one-year-later/
[9] https://www.drought.gov/states/north-carolina
[10] https://www.weather.gov/media/rah/DGT/DGT_RAH_02262026.pdf
[11] https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202410&RIN=2060-AW43

If you have any questions about this request, please contact me at (919) 707-8447 or by email at Michael.Abraczinskas@deq.nc.gov.

Sincerely,

Michael A Abraczinskas

Michael A. Abraczinskas, Director
Division of Air Quality, NCDEQ

cc: Kevin J. McOmber, P.E., USEPA
Denisse Diaz, USEPA
Keriema Newman, USEPA
Jason Dressler, USEPA
Taylor Hartsfield, DAQ
Brian Phillips, DAQ
DAQ Regional Office Supervisors
Ashley Featherstone, Asheville-Buncombe Air Quality Agency
William Barnette, Forsyth County Office of Environmental Assistance and Protection
Leslie Rhodes, Mecklenburg County Air Quality Agency

Asheville-Buncombe Air Quality Agency

Memo

To: Air Quality Board

From: James Raiford

CC: Ashley Featherstone

Date: March 5, 2026

Re: Amcor Flexibles, Inc. - Comments on Draft Title V Permit

A notice announcing the opportunity for public comment on the draft Title V Permit for Amcor Flexibles, Inc. was published in the Asheville-Citizen Times on January 20, 2026 and placed on the agency website. No comments were received during the 30-day public comment period, which ended on February 19, 2026.

A copy of the public notice was emailed to affected state and tribal agencies, including NC DAQ, SC DHEC, GA DNR, TN DEC, and the Eastern Band of the Cherokee Nation. No comments were received from these entities.

The draft Title V Permit and components of the application review package were sent to EPA Region 4 for review on January 9, 2026. In an email dated February 5, 2026, Estelle Bae from EPA Region 4 submitted suggested comments/revisions to the permit. These comments were minor in nature and updated various references in the permits. A full list of those comments can be found in the file folder for this permit renewal. Slight changes to the permit were made in response to these comments.

Asheville-Buncombe Air Quality Agency
APPLICATION REVIEW SUMMARY

SECTION A: FACILITY INFORMATION			
COMPANY NAME:	Amcor Flexibles, Inc.		
SITE NAME:	Amcor Flexibles, Inc.		
SITE ADDRESS	3055 Sweeten Creek Road, Asheville, NC 28803		
MAILING ADDRESS:	3055 Sweeten Creek Road, Asheville, NC 28803		
GENERAL DESCRIPTION OF BUSINESS:	Manufacturer of flexible packaging products		
FACILITY CLASSIFICATION:	Title V	SITE STATUS:	Existing

SECTION B: APPLICATION INFORMATION			
DATE OF APPLICATION:	December 13, 2024	APPLICATION TRACKING NO.:	NA
DATE COMPLETE APPLICATION RECEIVED:	January 7, 2025	BOARD MEETING DATE:	March 12, 2026
CONFIDENTIALITY REQUESTED?	No	BOARD AGENDA TYPE:	Title V Renewal
APPLICATION RESULTS:	The purpose of this review is to renew the Title V permit.		
PERMIT NO. / DATE ISSUED BY APPLICATION:	11-539-25/ March 12, 2026		
PERMIT NO. / DATE VOIDED BY APPLICATION:	11-539-20/ July 13, 2020		

SECTION C: REGULATORY INFORMATION	
AB Air Quality REGULATIONS:	4.0521, 4.0530, 4.0958, 4.1100, 4.1111, 4.1806, 17.0317, 17.0500,

SECTION D: FACILITY-WIDE EMISSIONS INFORMATION		
POLLUTANTS REVIEWED AS A RESULT OF THIS APPLICATION OR AB Air Quality ACTION:	Emissions (TONS/YR)	
	Actual 2024 Emissions	Potential Emissions
PM	0.139	1.44
PM-10	0.139	1.44
PM-2.5	0.139	1.44
SO_2	0.011	0.11
NO_X	1.83	19.01
CO	1.53	15.97
VOC	26.2*	280*
Total HAPs	0.06*	8.24*
Greenhouse Gases, CO_{2e}	2,195	22,623
List all HAPs >10TPY of potential emissions	None with the current product formulations	

*Emission numbers denoted with an (*) reflect "controlled" emissions (i.e. emissions reduced by a pollution control device).

IN COMPLIANCE WITH EMISSION STANDARDS / RECOMMEND APPROVAL			
Prepared By:	Alex Latta /	Date Completed:	11/20/2025
Reviewed By:	James C. Raiford /	Date Completed:	11/24/2025
Director:	Ashley J. Featherstone /	Date Approved:	11/24/2025

SECTION A DETAILS

FACILITY INFORMATION

[Detailed discussion of any items in Section A]

Amcor Flexibles, Inc. (Amcor), formerly Pechiney Plastics Packaging, Inc. (PPPI), is a manufacturer of flexible packaging products that utilizes rotogravure and flexographic printing processes. Specifically, the facility manufactures printed plastic packages for the medical and office supply industries. At this time, approximately 70% of their products are manufactured for the medical and pharmaceutical industries. The substrates that are generally utilized are foil, polyester and nylon. The general process flow is printing → laminating → extruding → slitting/pouching. This facility has received ISO 14001 and OHSAS 18001 certifications. The permit was amended in September of 2010 to reflect the name and ownership change from Pechiney to Amcor.

There are five pieces of equipment listed on the current permit: ES-C2, ES-L1, ES-L2, ES-R1, and ES-PW. A description of each piece of equipment and associated control devices is below.

ES-C2 (C2) is a tandem extrusion coating laminator with a maximum operating speed of 1,000 feet per minute that is used to put the substrates (typically paper and foil) together. This creates an inner liner to protect the product. It has two coating stations, two extruding stations and one natural gas fired dryer. Maximum rated heat input capacity of the dryer is 2.8 MMBtu/hr. C2 has no VOC capture and control efficiency requirements (all emissions released to atmosphere).

ES-R1 (R1) is a six-station (six color), 50 inch rotogravure printing press with a maximum operating speed of 820 feet per minute. Rotogravure printing is the most sophisticated of all printing methods. Most magazines and mail-order catalogues use this method of printing since it most resembles photography. R1 is equipped with natural gas-fired dryers to ensure that there is no retained solvent on the web. Maximum rated heat input capacity of the natural gas burners is 4.57 MMBtu/hr.In the current permit, R1 is required to have a combined VOC capture and reduction efficiency of at least 85.5%.

ES-L1 (L1) is a two-station adhesive laminator with a maximum operating speed of 660 feet per minute that is used to laminate the substrate (typically polyester and/or polypropylene). This process is used to place a protective barrier to ensure that no solvents come in contact with the product. The L1 coating stations are surrounded by permanent total enclosures. Each station is equipped with natural gas-fired dryers with a combined maximum rated heat input capacity of 7.1 MMBtu/hr. In the current permit, L1 is required to have a combined VOC capture and reduction efficiency of at least 95%.

ES-L2 (L2) operates in a similar fashion to L1, with one coating station surrounded by one permanent total enclosure. The maximum operating speed of L2 is 600 feet per minute. Maximum rated heat input capacity of natural gas fired dryer is 4.8 MMBtu/hr. In the current permit, L2 is required to have a combined VOC capture and control efficiency of 95%.

The parts washer (ES-PW) is vented directly to the atmosphere. Emissions are calculated as uncontrolled.

One Regenerative Thermal Oxidizers (CD-I4) is used to control VOC emissions. During testing in November 2024, Amcor was unable to get CD-I2 to operate as required and have been unable to test since. The facility has not utilized CD-12 in several years and is aware it cannot operate the unit until testing is completed. Both catalytic oxidizers are controlled by the Megtec control system. The Megtec control system contains an algorithm program, which is based on the airflow requirements and capacities of the control equipment. Each oxidizer has a certain amount of air that it can effectively control (30,000 scfm). Each piece of equipment has a certain amount of air that when operating, it will vent to the oxidizers. These airflow parameters do not fluctuate. The system keeps track of the operational status of each of the oxidizers and each piece of equipment that is vented to those control devices. The system tracks which equipment is operating and the order in which each press came online. If the oxidizers do not have the capacity to handle the amount of process air coming in because one of them is not operating at any given time, the control system will shut the presses down, as needed, beginning with the last press to come online. If both of the oxidizers go down, the system will shut all of the presses down. The oxidizers will shut down automatically if the temperature falls below the critical level established by the

manufacturer, 550 °F. Please see Section B for additional details regarding airflow rates for the permitted equipment that is vented to the control devices.

Prior to the renewal in 2014, product formulations had changed and the HAP content has decreased significantly. As a result, potential HAP emissions are now below major source thresholds. The facility opted not to request a limit to become a synthetic minor source of HAPs in 2014, since it would have required a significant modification fee and there was little benefit to the revised designation. Also as part of the renewal process in 2014, conversations about the PSD limits in the permit occurred and language clarifying the PSD status of the facility was added to the permit. The facility is a major source for PSD purposes and the limits in the permit cannot be relaxed without the facility triggering a review under that rule.

Updates from the 2020 permit renewal (11-539-20):

In this application, Amcor requested a minor modification to incorporate an alternative operating scenario (AOS) to allow the exhaust to bypass the oxidizers while applying water-based coating materials on emission sources R1 and L2. The permit had referenced an AOS when utilizing low VOC materials, as previously requested by the facility, in footnotes on pages 3 and 6 for the source descriptions and PSD avoidance limits, but states that the permittee must notify the agency and demonstrate compliance with all applicable regulations before utilizing an AOS. In the application, Amcor stated that regarding the AOS, they will continue to meet all PSD avoidance limits, and will comply with the 40 CFR Part 63 Subpart KK using one of the options in the rule per the permit (which lists all options including those that do not rely on control devices), and by following the allowable procedures for intermittently-controllable work stations per the Subpart. Amcor included an updated compliance assurance monitoring (CAM) plan to include the AOS for bypass of the control devices while applying a low VOC or water-based coating. The CAM plan included a monitoring approach for the AOS. Additional details regarding the AOS were added to the CAM and MACT conditions, and a separate condition regarding AOSs was added to the permit. Amcor also requested that state air toxics rules and requirements be removed from the permit since the equipment can now be exempt from those requirements per 17.0702(a)(27)(B), which was updated since the 2014 renewal to exempt sources subject to federal MACT standards. While the facility can utilize this exemption, the enabling legislation for this rule change requires that the agency evaluate the entire facility to determine if there is an unacceptable risk to human health as part of an associated permit modification. A review of NC Air Toxics requirements was conducted and documented, and the conditions were removed from the permit. Amcor also provided a list of insignificant activities that they requested be added to the permit. These sources were evaluated for permitting applicability and included in the insignificant activity list.

While the permit was open, the descriptions of the permitted equipment were updated to include the maximum rated heat input capacity of the dryers and the catalytic oxidizers. Applicable requirements including the state particulate matter standards and sulfur dioxide standards will be added. No monitoring or recordkeeping requirements associated with those standards will be added to the permit since combustion of natural gas is not predicted to lead to emissions that have the potential to exceed the relevant standards. The VOC work practice rule is no longer applicable state-wide and as such, that condition will be removed from the permit.

During the initial review of the permit renewal application, the PSD avoidance condition and the MACT condition were reviewed and some additional language was added to both conditions. The CAM plan language, which is the monitoring language for the PSD avoidance condition was intended to satisfy the requirements of both rules. Both require monitoring to ensure that the capture and control technology is operating properly. The Agency had found that the facility was not meeting the MACT requirements for capture efficiency, and worked with the facility on a plan to address the deficiency. A notice of violation was issued on October 23, 2019. MACT KK requires continuous monitoring of capture efficiency for enclosed and unenclosed processes, and Amcor was not meeting that requirement for unenclosed process R-1. Amcor decided that they wanted to be classified as an area source of HAP, which would make the facility no longer subject to Subpart KK. In a letter and amended application dated April 1, 2020, the facility requested that they be classified as an area source for HAP. This change was considered a significant modification. The application fee for the difference between a minor modification and a significant modification ($8,100) was received on May 4, 2020. The facility also submitted a new CAM plan that addressed monitoring requirements for their unenclosed process (R1) as well as their Permanent Total Enclosure (PTE) for L1 and L2. The capture efficiency for R1 was established during a performance test in 2004. During that test, the vacuum pressure of the capture system was set at 30 millimeters of water, and interlocks are in place to turn the system off if the vacuum pressure goes below

25 millimeters. The proposed CAM plan included inspecting the operation condition of all the interlocks to insure proper operation. The facility proposed doing this annually, but the Agency is maintaining the current permit condition which requires semiannual inspections. Additionally, the Agency added a permit condition to record the value of the vacuum pressure daily. For the PTEs, the facility installed pressure differential monitors that record the pressure differential across the enclosure. The facility is required to monitor and log these values. The condition in the CAM plan that required amperage monitors to be utilized with the PTEs was removed as that was no longer necessary with pressure differential monitors in place. Since the new CAM plan had monitoring for both enclosures, no performance testing was required. The facility ordered the pressure differential monitors for the PTEs, but the manufacturer has had trouble fulfilling orders due to COVID-19. The Agency placed a permit condition that they need to be installed within 90 days of the issuance of the permit.

The facility also planned to replace the catalytic oxidizer CD-I3 with a new regenerative thermal oxidizer CD-I4. The new oxidizer featured a smaller burner than the previous oxidizer, so NC Toxics was not triggered. The permit was updated to include CD-I4 in all the required permit conditions. An initial performance test requirement was also included with the 2020 permit.

A review of the most recent DAQ Title V general conditions was conducted and two changes were found pertaining to the general conditions that are being updated as part of the 2020 renewal. One was related to the reporting requirements for non-operational equipment in General Condition LL. This change was not substantive but a rewording that appears to make the requirement more clear. The second change was related to when the Title V renewal application is due as specified in General Condition K. Applications are now due 6 months prior to renewal instead of 9 months prior to renewal. DAQ updated their rule at 02Q .0513(b) (Which corresponds to AB Air Quality Chapter 17.0513(b)) in 2018 as part of the Group 2 rule readoption process that was mandated by the General Assembly. The change in due date was part of that rule re-adoption, which this agency plans to adopt by reference. As such, the change was made in the 2020 permit.

Updates for 2025 Permit Renewal

In this application, Amcor requested the removal of CD-I3 from the permit, which was removed and replaced with CD-I4. All references of CD-I3 will be removed from the permit. Currently, CD-I2 sits on-site but is currently decommissioned in place. The facility was unable to get the unit operating properly during the most recent performance test and as a result, they were unable to test CD-I2. Currently, CD-I4 is the sole control device for the facility. Amcor is aware they will not be able to operate CD-I2 until testing is completed.

Additionally, Amcor also provided a list of insignificant activities that they requested be updated with the permit including the removal of several sources from the list such as DIST-04, VAC, PUMP, WASH-01, WASH-L1, and WASH-L2.

On May 6, 2025, the Agency received an application amendment to also have CD-I2 removed from the permit. All references to CD-I2 will be removed from the permit and permit review with the exception of the application history narrative.

When the facility reviewed the draft permit, they proposed that in Section 2.A.1.k.i.C to remove the requirement for logging vacuum pressure readings daily and instead to do semiannual testing of the interlocks. Sinc there is already a requirement that the interlock prevents startup of the press when the duct pressure is 30 mm or greater, the Agency approved this change. Additionally, in Section 2.A.1.g the language was changed to clarify that performance testing must occur every five years instead of every permit cycle.

SECTION B DETAILS

APPLICATION INFORMATION

[List all emission sources (permitted and exempt) reviewed as a result of this application, their associated control devices and pollutants. Provide a detailed discussion of any other items in Section B at bottom under "Application Notes"]

EMISSION SOURCE ID	EMISSION SOURCE DESCRIPTION 1. Type, manufacturer, capacity 2. Control device with ID (if any)	POLLUTANT(S) EMITTED	MISCELLANEOUS NOTES
ES-C2	One (1) Tandem Extrusion Coating Laminator with a maximum operating speed of 1,000 feet per minute with a natural gas-fired dryer (2.8 million Btu per hour maximum heat input capacity)	PM, PM-10, PM-2.5, CO, NOx, SO_2, VOCs, HAPs, and TAPs	Emissions from this source are vented directly to the atmosphere. This is a roll coating process.
ES-L1	One (1) two-station Solvent-Based Adhesive Coating Laminator with a maximum operating speed of 660 feet per minute with natural gas-fired dryers (7.1 million Btu per hour maximum heat input capacity combined) with two permanent total enclosures. Emissions are controlled by a natural gas-fired oxidizer. CD-I4 is a regenerative thermal oxidizer with 12 million Btu per hour maximum heat input capacity. CD-I4 has a rated destruction efficiency of 95%.	PM, PM-10, PM-2.5, CO, NOx, SO_2, VOCs, HAPs, and TAPs	This emission source is required to meet the requirements of a Permanent Total Enclosure (PTE), such that 100% of all VOCs are sent to the control device. Minimum required total capture and control efficiency is 95%. L1 has 2 coating decks (2 stations), both are surrounded by PTEs. This is a roll coating process.
ES-L2	One (1) Solvent-Based Adhesive Coating Laminator with a maximum operating speed of 600 feet per minute with a natural gas-fired dryer (4.8 million Btu per hour maximum heat input capacity). Emissions are controlled by a natural gas-fired oxidizer. CD-I4 is a regenerative thermal oxidizer with 12 million Btu per hour maximum heat input capacity. CD-I4 has a rated destruction efficiency of 95%.	PM, PM-10, PM-2.5, CO, NOx, SO2, VOCs, HAPs, and TAPs	This emission source is required to meet the requirements of a Permanent Total Enclosure, such that 100% of all VOCs are sent to the control device. Minimum required total capture and control efficiency is 95%. L2 has 1 coating deck (1 station), which is surrounded by a PTE. This is a roll coating process.
ES-R1	One (1) 6-station 50 inch Rotogravure Press with a maximum operating speed of 820 feet per minute with natural gas-fired dryers (4.57 million Btu per hour maximum heat input capacity combined). Emissions are controlled by a natural gas-fired oxidizer. CD-I4 is a regenerative thermal oxidizer with 12 million Btu per hour maximum heat input capacity. CD-I4 has a rated destruction efficiency of 95%.	PM, PM-10, PM-2.5, CO, NOx, SO2, VOCs, HAPs, and TAPs	This emission source has a capture efficiency requirement of 90%. Minimum required total capture and control efficiency is 85.5%.

ES-PW	One (1) Parts Washer	VOCs, HAPs, and TAPs	Permit applications state that emissions from this source are vented directly to the atmosphere. During inspections, Amcor staff have pointed out that while the equipment has the capability to vent directly to the atmosphere, it is actually vented to the distillation unit, which vents to the atmosphere. No control efficiency data has been submitted to the Agency for the distillation unit. Emissions are calculated as uncontrolled.
TANK-03	One (1) 5,200 gallon solvent storage tank	VOCs	This tank is used to store normal propyl acetate. Emissions are included in press emissions mass balance and are less than 5 tons per year, which qualifies the process as an insignificant activity because of size or production rate as defined in AB Air Quality Code 17.0503 – "Definitions". This tank is not in use at this time, but remains onsite.
TANK-04	One (1) 5,200 gallon solvent storage tank	VOCs	This tank is used to store reclaimed flammable solvent. The reclaimed solvent is used for press and parts cleaning. Emissions are included in press emissions mass balance and are less than 5 tons per year. This tank is not in use at this time, but remains onsite.
TANK-09	One (1) 5,200 gallon solvent storage tank	VOCs	This tank is used to store normal propyl acetate. Emissions are included in press emissions mass balance and are less than 5 tons per year. This tank is not in use at this time, but remains onsite.
WASH-01	One (1) solvent wash tank	VOCs	Emissions from this tank are included in press emissions mass balance and are less than 5 tons per year. This unit has been removed from the facility.
WASH-L1	One (1) laminator wash tank	VOCs	Emissions from this tank have been included in laminator emissions mass balance and were less than 5 tons per year. This tank is no longer used for washing parts. It is currently used to store wash rags. Amcor and the agency have decided to leave it on the insignificant activity list as it remains onsite and may be needed again in the future. This unit has been removed from the facility.

WASH-L2	One (1) laminator wash tank	VOCs	Emissions from this tank have been included in laminator emissions mass balance and were less than 5 tons per year. This tank is no longer used for washing parts. It is currently used to store wash rags. Amcor and the agency have decided to leave it on the insignificant activity list as it remains onsite and may be needed again in the future. This unit has been removed from the facility.
DIST-03	One (1) 500 gallon non-flammable solvent distillation unit	VOCs	This distillation unit separates contaminants from used non-flammable solvent. Emissions are included in PW unit emissions mass balance and are less than 5 tons per year.
DSLV-02	One (1) 750 gallon wash solvent tank serving one non-flammable solvent distillation unit	VOCs	Emissions are included in PW unit emissions mass balance and are less than 5 tons per year.
TANK 13	One (1) 10,000 gallon vertical fixed roof tank containing ethyl acetate	VOCs, TAP	This tank was installed in 2004. Estimated annual emissions are 467 pounds of VOCs per year.
WHCS-01	One (1) 40 gallon tank used to store HCS solution, which is the solvent (n methyl pyrrolidone) used for cleaning parts in the PW unit.	VOCs	Maximum potential emissions are less than 5 tons per year.
INK-MIX	One (1) ink and adhesive mixing room	VOCs, HAPs, and TAPs	This room includes 2 ink mixers and 1 adhesive mixer. Materials are mixed in 5 gallon pails and 55 gallon drums. The room is vented to the outdoors. Maximum potential emissions are less than 5 tons per year.
SILOS 1-4	Four (4) bulk resin storage silos	PM, PM-10, PM-2.5	Two silos are used to store low density polyethylene resin. The third silo is used to store ethylene acrylic acid resin when necessary based on product demand. The fourth silo has never been utilized. Each silo has the capacity of storing 200,000 pounds of resin pellets. Maximum potential emissions are less than 5 tons per year.

TR-CYC	One (1) trim removal system with emissions controlled by one cyclone	PM, PM-10, PM-2.5	TR-CYC is a trim removal system with emissions controlled by a cyclone that is used to capture strips of material that are removed from some products by trim knives and conveyed using trim blowers. C2, seven slitters and two pouch machines are equipped with trim knives and trim blowers. Approximately ¼ - ½ inch is cut from the sides of the product in this process. The emissions source is the trim removal system, not the cyclone. Maximum potential emissions are less than 5 tons per year.
CYLINDER	One (1) Cylinder Cleaning Area	VOCs, HAPs, and TAPs	Cylinders are wiped down before being utilized in the equipment. Maximum potential emissions are less than 5 tons per year.
ANILOX	One (1) Anilox Roll Cleaner	VOCs, TAP	This machine is located near the cylinder cleaning area and is used to clean cylinders after use in L1 and L2. The cleaning solution is a slightly corrosive dilute solution that is not volatile. Small amounts of ethyl acetate are also used here to wipe down the rolls after cleaning. Emissions are expected to be less than 5 tons per year.
WG	One (1) wet goods receiving area	VOCs, HAPs, and TAPs	Raw materials are stored here in drums and five gallon buckets. The area is vented to the atmosphere. Emissions are expected to be less than 5 tons per year.
HW	One (1) hazardous waste storage area	VOCs, HAPs, and TAPs	This area is outside next to the tank farm. Several drums of hazardous waste are stored here. Emissions are expected to be less than 5 tons per year.
CT	One (1) cooling tower serving a primary chiller and one back up chiller	NA	The chillers are insignificant activities because of size or production rate as defined in AB Air Quality Code 17.0503 – "Definitions."
PUMP	One (1) Pump Cleaning Station	VOCs, HAPs, and TAPs	Five five-gallon buckets are used to clean pumps with ethyl acetate in the wash room. Emissions are included in facility wide emissions mass balance and are expected to be less than 5 tons per year. This unit has been removed from the facility.

LATHE	Two (2) Leblond Makino lathe	PM, PM-10, PM-2.5	The lathes are used to grind the surface of rubber rolls, emissions are controlled by a fabric filter. The permit application states that 2.5 pounds of rubber is removed per roll, 6 rolls are re-surfaced per day. As such, potential uncontrolled emissions would be approximately 5,475 pounds per year (less than 5 tons per year), which qualifies the process as an insignificant activity because of size or production rate as defined in AB Air Quality Code 17.0503 – "Definitions".
VAC	One (1) central vacuum	PM, PM-10, PM-2.5	The vacuum system is used to remove dust from the laser trimming. Emissions are controlled by a fabric filter. 0.5 pounds of trim are removed per roll, 40 rolls are trimmed per day, resulting in potential emissions of 7,300 pounds per year (less than 5 tons per year). This qualifies the process as an insignificant activity because of size or production rate as defined in AB Air Quality Code 17.0503 – "Definitions". This unit has been removed from the facility.
DIST-04	One (1) distillation unit with a maximum capacity of 50 gallons	VOCs/TAPs	This unit is a Clean Planet Solvent Distillation unit that is not vented directly to the atmosphere. It is described as an enclosed/closed-loop system. The facility submitted a permitting applicability request regarding this unit in 2016 and it was determined to be an insignificant activity because of size or production rate at that time (AB Air Quality Code 17.0503 – "Definitions"). The maximum capacity listed here is from the initial applicability determination request. Per the permit application, 38 gallons of spent solvent are processed per batch. Each batch takes 11 hours to complete. Less than 1% solvent is estimated to be lost in the form of emissions. This unit has been removed from the facility.

EXTR	One (1) extrusion process	VOCs	This process utilizes low density polyethylene (LDPE) and linear low density polyethylene (LLDPE). In the permit renewal application it is noted that emissions are negligible. Upon a request for additional information, the facility provided an article entitled 'Development of Emission Factors for Polyethylene Processing' from the Journal of the Air and Waste Management Association (published online January 9, 2012). They noted that the facility consumes less than one million pounds of LDPE and LLDPE annually and referenced the table at the end of the article which shows that VOC emissions are less than 200 pounds per year per million pound of raw material. Table 7 shows worst case emissions for LDPE extrusion coating are estimated at 242 pounds of PM and 157 pounds of VOC emissions per million pounds of material processed. The paper is on the N drive in the permit review folder.
BALER	One (1) trim waste baler	PM, PM-10, PM-2.5	The facility requested a permitting applicability determination in 2016 for this baler and emissions were determined to be negligible. As such, it was determined to be an insignificant activity because of size or production rate at that time (AB Air Quality Code 17.0503 – "Definitions"). As of the last inspection in 2018, the baler was no longer in use since the market for the trim waste is not currently viable. While the baler was not listed in the application, Amcor did confirm that it is still on site and not in use. As such, it will be added to the insignificant activity list as part of this renewal.

APPLICATION NOTES

Megtec Regenerative Thermal Oxidizer (Reference No. CD-I4) is rated at 60,000 scfm (burners are rated at 12 MMBtu/hr). The current expected airflow rate to the oxidizers when all three pieces of production equipment are operating is 47,900 scfm. The maximum airflow rate to the oxidizers is 20,900 scfm from L1, 12,000 scfm from L2, and 15,000 scfm from R1 (for a total of 47,900 scfm).

Tanks 03, 04, 09 and 13 are located outside in the tank farm, which is the diked area behind the facility. The hazardous waste storage area is adjacent to the tank farm. The resin storage silos are also located outside behind the facility. All other insignificant sources are located inside the facility.

SECTION C DETAILS

REGULATORY INFORMATION

(Identify the AB Air Quality Regulations reviewed because of this application. At a minimum, the regulations already listed should be reviewed and reason given for applicability or non-applicability. If a regulation has a standard, list the standard and indicate how the source is in compliance.)

AB Air Quality REGULATION NUMBER / TITLE	EMISSION SOURCE ID NO(S). SUBJECT	NOTES ON REGULATION (Compliance demonstration, applicability, etc.)
17.0500 – Title V Procedures (40 CFR Part 70)	All	The facility is subject to Title V permitting procedures because potential emissions are in excess of the 100-ton per year applicability threshold for VOCs. In the past, they were also subject due to the 25-ton per year applicability threshold for combined HAPs, and the 10-ton per year applicability threshold for at least one individual HAP. Amcor has a current Title V permit. Permit No. 11-539-20 expires July 13, 2025. In accordance with the current permit, Amcor Flexibles submitted an application to renew the Title V permit on January 13, 2025 (application was due on January 13, 2025). Since the permit application was submitted 6 months prior to permit expiration, the permit will not expire until the renewal permit has been issued or denied. All terms and conditions of the existing permit shall remain in effect until the renewal permit has been issued or denied.
4.0515 – Particulates from Miscellaneous Industrial Processes	All	The allowable emission rates are a function of the process weight rate and shall be determined by the following equation(s), where P is the process throughput rate in tons per hour (tons/hr) and E is the allowable emission rate in pounds per hour (lbs/hr). E = 4.10 * (P) 0.67 for P < 30 tons/hr, or E = 55.0 * (P) 0.11 -40 for P >30 tons/hr. It is expected that PM emissions will result from combustion of natural gas only and as such, emission rates will be very low and no monitoring, recordkeeping, or reporting will be required consistent with current AB Air Quality policy.

4.0516 – Sulfur Dioxide Emissions from Combustion Sources	L-1, L-2, R-1	This regulation limits SO_2 emissions from these sources to 2.3 lb/MMBtu. The AP-42 SO_2 emission factor for natural gas combustion for natural gas combustion for small boilers (used for the natural gas-fired dryers) is 0.001 lb/MMBtu. Thus, the facility is expected to be in compliance. These units utilize direct fired combustion techniques. No monitoring, recordkeeping, or reporting will be required.

4.1104 – Toxic Air Pollutant Guidelines and 17.0700 – Toxic Air Pollutant Procedures	All	This facility triggered a toxics review in 2001 with the proposed addition of several new pieces of equipment. Emissions estimates exceeded the TPERs for several TAPs. The facility submitted dispersion modeling showing compliance with the AALs. The modeling was performed based on maximum emission rates; actual emissions were expected to be lower than those which were modeled. The compliance demonstration is included in the current Title V permit. As part of the 2019 permit renewal, Amcor requested that state air toxics rules and requirements be removed from the permit since the permitted equipment can now be exempt from those requirements per 17.0702(a)(27)(B), which had been updated to exempt sources subject to federal MACT standards. The enabling legislation for this rule change requires the agency to ensure that there is no 'unacceptable risk to human health' as a result of the exemption. This analysis is included in this review (please see the notes section below). On April 1, 2020, the facility submitted an application for replacing one of their catalytic oxidizers (CD-I3) with a regenerative thermal oxidizer (CD-I4). Since the natural gas burner for the new oxidizer is 1 MMBtu/hr less than the previous oxidizer, emissions will not increase and therefore does not trigger a toxics review. Please see the notes section below for more information.
4.0524 – New Source Performance Standards (40 CFR Part 60)	NA	The facility has no equipment or process that is subject to a New Source Performance Standard.
4.0530 – Prevention of Significant Deterioration (40 CFR Part 51) and 17.0317 – Avoidance Conditions	All	PSD major source applicability does apply to this facility. In 2001, the facility became a PSD major source when they utilized the one-time doubling option of their emissions threshold; the existing equipment was limited to less than 250 tons/year of VOCs, and the new equipment was limited to less than 250 tons/year of VOCs. This was done in accordance with 17.0317 - Avoidance Conditions. Emissions from any future expansions at the facility will have to be limited to less than the applicable PSD thresholds in order to avoid PSD review. VOC limits and corresponding throughput limits and destruction efficiencies are specified in the permit to show compliance with these avoidance limitations. Please see the section entitled "Regulatory Notes" below for a detailed list of PSD limits and compliance demonstration requirements.

4.0614 – Compliance Assurance Monitoring (40 CFR 64)	L-1, L-2, R-1	This facility is subject to 40 CFR Part 64. While they would qualify for exemption under 4.0614(b)(1)(A) since they are subject to 40 CFR Part 63 Subpart KK, they do satisfy all applicability requirements outlined in 4.0614(a)(1) – (a)(3) because of the applicable PSD avoidance limits to which they are subject. PPPI (now Amcor) submitted a CAM plan for all permitted emission sources that are required to be vented to control devices as part of a previous renewal application. This plan is consistent with EPA guidance for permitting of printing facilities (Technical Support Document for Title V Permitting of Printing Facilities, Draft, November 22, 2002) and the corresponding Appendices to that document, specifically, Appendix C. The CAM plan is included in the current permit under the monitoring provisions for the PSD avoidance condition. Amcor submitted an updated CAM plan as part of the 2019 permit renewal application to address the AOS that they have requested to be in their permit. In the application, Amcor states that regarding the AOS, they will continue to meet all PSD avoidance limits. The updated CAM plan includes the AOS for bypass of the control devices while applying a low VOC or water-based coating. The CAM plan includes a monitoring approach for the AOS. The facility has proposed to install, maintain, and operate a bypass position indicator at the entrance to any bypass line. The bypass indicator will provide a record indicating whether the exhaust stream from the dryer was directed to the control device or was diverted from the control device. The time and control position will be recorded at least once per hour, as well as every time the exhaust stream destination is changed. These requirements are consistent with the requirements of the MACT standard, Subpart KK in 40 CFR 63.828(a)(1) which addresses monitoring requirements for intermittently controllable work stations. The facility will also make a record of process operations to demonstrate that only low VOC or water-based coatings are used during an AOS oxidizer bypass condition. After further discussions with the facility, in a letter dated April 1, 2020, the facility submitted an amended CAM plan to address capture efficiency of both the PTE and the unenclosed process. This included monitoring the PTE pressure differential, and maintaining the interlock on the unenclosed process to ensure that it is functioning properly.

		The condition in the permit was updated to include the additional monitoring provisions for the AOS.
4.1111 – MACT (40 CFR 63)	All	This facility was previously subject to 40 CFR Part 63 Subpart KK, "National Emissions Standards for the Printing and Publishing Industry." In a letter to the Agency dated April 1, 2020, the facility requested to be classified as an area source, and is no longer subject to Subpart KK. The facility must use less than 10 tons per each rolling 12-month period of each HAP and less than 25 tons per each rolling 12-month period of any combination of HAP at the facility.
4.0521 – Control of Visible Emissions	All	The visible emissions from all permitted point sources are not to exceed 20% opacity due to their post-1971 manufacture dates. Since the sources emit primarily VOCs and the only fuel that is utilized is natural gas, visible emissions are not expected to occur and no requirements for monitoring or reporting opacity levels are included in the permit.
4.1806 – Control and Prohibition of Odorous Emissions	All	The facility will prevent odorous emissions from causing or contributing to objectionable odors beyond their property line. If the Agency determines that odors from the facility are creating a nuisance, the Director may require the facility to submit a maximum feasible odor control determination.

REGULATORY NOTES

4.1104 – Toxic Air Pollutant Guidelines and 17.0700 – Toxic Air Pollutant Procedures
As part of the permit renewal in 2014, emission rates of all TAPs were reviewed and compared to the emission rates of all previously modeled TAPs: toluene, MIBK, MEK, ethyl acetate, hexane, ammonia, and xylene. Potential toluene, MEK, ethyl acetate, and xylene emissions were well below those used in the previous modeling demonstration. The facility no longer emits MIBK, hexane, or ammonia. Two TAPs not previously evaluated for compliance with NC Air Toxics regulations were benzene and formaldehyde. Potential emissions of benzene (factoring in monthly restrictions) were below the TPER, which is 8.1 pounds per year. Potential emissions of formaldehyde were equivalent to, but not over the TPER for that pollutant, which is 0.04 pounds per hour. The two additional pollutants reviewed as part of the 2014 renewal were added to the compliance demonstration in the permit.

Stack parameters from the previous dispersion modeling analysis were compared to emission points reported in the renewal application in 2014. There were two stacks in the modeling demonstration that are no longer in use at the facility: The Reeco stack and the C-1 stack. Both pieces of equipment exhausting to these stacks have been removed. All other emissions points remain unchanged. There does appear to be one additional building ventilation exhaust point, #510. As the emission rates and total number of emissions points have decreased, the addition of one general ventilation exhaust point (assuming it was not there prior) is expected to have a negligible impact for compliance with NC Air Toxics Regulations.

Update for 2019 Permit Renewal
As part of the 2019 permit renewal, as noted above, the facility requested that state air toxics rules and requirements be removed from the permit since the permitted equipment can now be exempt from those requirements per 17.0702(a)(27)(B), which had been updated since the 2014 renewal to exempt sources subject to federal MACT standards. The enabling legislation for this rule change requires the agency to ensure that there is no 'unacceptable risk to human health' as a result of the exemption. Emission rates

of all TAPs were reviewed and compared to the emission rates of all previously modeled TAPs: toluene, MIBK, MEK, ethyl acetate, hexane, ammonia, and xylene. Potential toluene, MEK, ethyl acetate, and xylene emissions are well below those used in the previous modeling demonstration (same as in 2014). The facility no longer emits MIBK, hexane, or ammonia (this has not changed since 2014 except that the facility has used a coating in 2018 that contains ammonia and this is included in the proposed AOS-more details below).

Two TAPs not previously evaluated for compliance with NC Air Toxics regulations prior to the 2014 renewal are currently emitted: benzene and formaldehyde. The worst-case emission rates for benzene and formaldehyde were at or below the TPER when evaluated in 2014, but that was no longer the case in 2019. The spreadsheets submitted by the facility for the 2019 renewal show that the worst-case emission rates (percent of total VOCs) which is based on the coatings with the highest HAP/TAP contents per machine have increased for these two pollutants. This is reflected in the updated potential emissions calculations that were submitted by the facility and calculated by the agency as part of the 2019 permit renewal. The percentage of total VOCs for benzene utilized by L1 increased from 0.006% in 2014 to 0.1% in 2019. The percentage of total VOCs for formaldehyde utilized by R1 increased from 0.07% in 2014 to 0.1% in 2019. As such, the worst-case emissions rates are now over the TPERs: 125.04 pounds per year benzene compared to TPER of 8.1 pounds per year and 0.0508 pounds per hour formaldehyde compared to TPER of 0.04 pounds per hour (please see the attached potential emissions calculations). The use of potential emissions to evaluate TPERs is conservative and preferred but not required by Chapter 17. 0711(a), which specifies that the actual rate of emissions is the rate that is to be compared to the TPERs. The worst-case emissions rates are based on a VOC maximum input in pounds per hour for each machine.

As part of the 2019 permit renewal review, it was determined that these maximum hourly VOC input figures (R1=350 pounds per hour) were proposed limits related to NC Air Toxics requirements in the application for a facility expansion in 2001. Actual emission rates for benzene and formaldehyde for these sources as reported in the 2018 emissions inventories were determined to be less than the TPERs. Actual benzene emissions as reported in 2018 were 0.27 pounds per year (0.20 pounds from L1 + 0.07 pounds from natural gas). Total formaldehyde emissions reported in 2018 were 5.33 pounds (2.76 pounds from R1 and 2.57 pounds from natural gas combustion). A pounds per hour rate was needed for formaldehyde for comparison with the TPER. The actual VOC input rates in pounds per hour per machine were calculated based on data reported in the annual emissions inventories from 2014 through 2018. For R-1, VOC usage in pounds per hour ranged from a low of 77 pounds per hour to a highest level of 94 pounds per hour, with the average VOC input being 84.2 pounds per hour. These values were located in the supporting documentation for the inventories, the actual forms for each source were not consistently updated. Using the highest rate of 94 actual pounds per hour VOC input and 0.1% formaldehyde with emissions controls for R1, the estimated actual hourly formaldehyde emission rate is 0.0136, below the TPER of 0.04 pounds per hour. As such, the actual emissions are less than the TPER.

As part of the 2019 permit renewal, Amcor submitted data for an AOS for water-based coatings that includes one additional TAP not currently emitted, ammonia. While not currently emitted, ammonia was previously emitted and included in the 2001 modeling analysis that was submitted by the facility and used to demonstrate compliance with the requirements at that time. The TPER for ammonia is 0.68 pounds per hour for obstructed or non-vertical oriented stacks and 2.84 pounds per hour for unobstructed stacks (vertical, no rain cap). In 2001 the modeling based on worst case total emission rates for ammonia used the emission rate of 24.8 pounds per hour, which led to predicted ammonia levels at the fenceline of approximately 58% of the acceptable ambient level (AAL). Based on that information it is estimated (by ratio) that as long as the total emission rate of ammonia is less than 42 pounds per hour, the AAL should not be exceeded based on the previous modeling. The current permit application includes an estimate of 0.5 pounds per hour for the actual emission rate of ammonia for R-1 and L-2 with the AOS, based on some data gathered in 2018 (total of 1 pound per hour if both sources are operating with the AOS). Tables 2 and 5 with emissions calculations for R1 and L2 in the 2019 permit application include the emission rates and a footnote that the ammonia emissions estimate is based on 314 pounds over 188 hours using Nexeo WB Primer system containing 30% ammonia in July of 2018 ((314 pounds / 188 hours) * 0.30 = 0.5 pounds per hour). In discussions with the facility, they have noted that they do not currently have water-based coatings that are viable for their process other than the one noted above. The AOS would involve using all water based or low VOC coatings (typically less than 20% VOCs) for a product that they are manufacturing. The water-based or low VOC coatings that they have reviewed for possible use do include ammonia, and worst-case emissions would be well under 40 pounds per hour (rate discussed above compared to previous modeling).

Based on the information above for the 2019 permit application, it appears that current operations and proposed operations with the AOS would not result in an 'unacceptable risk to human health'. As such, the NC Air Toxics conditions were to be removed from the permit as requested by Amcor.

Additionally, in a letter and amended application dated April 1, 2020, the facility submitted an application for taking a limit to avoid major source HAP applicability and subpart KK, and replacing one of their catalytic oxidizers (CD-I3) with a regenerative thermal oxidizer (CD-I4). If the facility takes a limit to avoid the MACT standard, they will not be exempt from NC Air Toxics, which they acknowledged in the amended application. As such, the NC Air Toxics conditions will remain in the permit. Since the natural gas burner for the new oxidizer is 1 MMBtu/hr less than the previous oxidizer, emissions will not increase and therefore does not trigger a toxics review.

As part of this permit renewal in 2025, the facility referenced that they were subject to subpart KK, that appears to have been a typographical error.

4.0530 – Prevention of Significant Deterioration: VOC limits, corresponding VOC usage limits and destruction efficiency requirements are the following:

The VOC emissions from L2, R2, C2, and PW, calculated monthly as the sum of each consecutive twelve month period: L2 ≤ 35 tons VOCs/yr, R2 ≤ 101.5 tons VOCs/yr, C2 ≤ 100 tons VOCs/yr, PW ≤ 9 tons VOCs/yr (R2 has been removed from the facility and was removed from the permit),

- The VOC emissions from L1 F8, R1, and C1, calculated monthly as the sum of each consecutive twelve month period: L1 ≤ 62.5 tons VOCs/yr, F8 ≤ 38.5 tons VOCs/yr, R1 ≤ 72.5 tons VOCs/yr,, C1 ≤ 74.5 tons VOCs/yr (F8 and C1 have been permanently shut down and have been removed from the permit),

- The VOC material input to L2, R2, C2, PW, L1, F8, R1, and C1, each, in pounds per month, calculated each month as a twelve month rolling average: L2 and R2 ≤ 116,667 lbs/month each, C2 ≤ 16,667 lbs/month, PW ≤ 1,500 lbs/month, L1 ≤ 208,333 lbs/month, F8 ≤ 33,333 lbs/month, R1 ≤ 83,333 lbs/month, C1 ≤ 12,417 lbs/month (F8, R2, and C1 have been permanently shut down and removed from the facility and the permit),

- The combined VOC capture and reduction efficiencies for R2, F8, and R1: R2 ≥ 85.5%, F8 ≥ 80.75%, R1 ≥ 85.5% (F8 and R2 have been permanently shut down and removed from the facility and the permit).

- L1 and L2 are required to meet the requirements of a Permanent Total Enclosure (PTE), such that 100% of all VOCs are sent to the control device. Total capture and control efficiency is 95%.

While R2, F8, and C1 are no longer located at the facility, as part of the permit renewal in 2014, historical information was added to the permit condition for clarification so that the major source status of the facility is documented in the permit. Emission limits for these sources are included in the permit review for informational purposes. The facility will continue to document continuous compliance with the limits for the existing equipment through monitoring, recordkeeping, and reporting on a 12-month rolling average basis. Summary reports are required semiannually.

4.1111 – MACT (40 CFR 63) – Subpart KK (Printing and Publishing)
This facility was previously subject to 40 CFR Part 63 Subpart KK, "National Emissions Standards for the Printing and Publishing Industry." In a letter to the Agency dated April 1, 2020, the facility requested a permit limit to be classified as an area source of HAP. 40 CFR 63.820 of Subpart KK states that area source of HAP is not subject to the provision of the subpart. The facility must use less than 10 tons per each rolling 12-month period of each HAP and less than 25 tons per each rolling 12-month period of any combination of HAP at the facility. The provisions of Subpart KK have been removed from the permit and replaced with an avoidance limit of 10 tons per each HAP and 25 tons for total HAP. This was processed as a major modification.

4.1111 – MACT (40 CFR 63) – Subpart JJJJ (Paper and Other Web Coating)
In previous permit applications, Amcor requested a permit shield for this MACT standard. The preamble to the rule (see page 2 under "Does this rule apply to me?" at http://www.epa.gov/ttn/atw/powc/fr04de02f.pdf) and EPA guidance documents

(http://www.epa.gov/ttn/atw/powc/executivesummary03_30_04.pdf) indicate that this standard does not apply to printing operations covered under the Printing and Publishing NESHAP (40 CFR part 63, subpart KK) or other coating lines that are subject to other MACT standards.

In a letter dated April 1, 2020, the facility requested to be an area source for HAP. 40 CFR 63.3290 of Subpart JJJJ states that the subpart only applies to major sources of HAP. Therefore, Amcor is not subject to this subpart.

Primary and Alternative Operating Scenarios

Amcor has requested that primary and alternative operating scenarios be included in the permit. The primary operating scenario (POS) utilizes solvent based materials. The alternative operating scenario (AOS) utilizes low VOC materials. Thus far, they have only operated under the primary operating scenario. The permit lists both options and states that the permittee must notify the Agency and demonstrate compliance with all applicable regulations before utilizing the AOS.

As noted above, Amcor has requested that an AOS be incorporated into the permit as part of the 2019 renewal. The CAM plan conditions were modified to require monitoring for the AOS, as noted above. The MACT conditions in the permit already included provisions for demonstrating compliance when intermittently controlled work stations are in use. The specific requirements from the MACT standard for intermittently controlled work stations were added to the MACT condition. A separate condition with citation 17.0508(j) was added to the permit.

SECTION D DETAILS				
EMISSION INFORMATION				
CALCULATION METHOD CODES (List all that apply)	1 = Stack test result 2 = Material (mass) balance 3 = EPA approved information (AP-42, CTG, etc.) 4 = Other (specify in table below)			
CALCULATION REJECTION CODES (List all that apply)	1 = Calculation error 2 = Wrong emission factor(s) used 3 = Control efficiency(ies) not accepted 4 = Other (specify in table below)			
EMISSION SOURCE (ID NO.)	CALCULATION METHOD CODE	ACCEPT OR REJECT?	CALCULATION REJECTION CODE	AB Air Quality CALCULATIONS ATTACHED?
L-1, L-2, R-1, C-2, PW	2	Accept	NA	Yes

EMISSION NOTES

Emissions calculations were submitted by Amcor and AB Air Quality also calculated emissions. Potential emissions were calculated based on maximum rated capacity and permitted limits.

Amcor submitted potential emissions calculations based on worst case product formulations by machine and permitted limits. The 2024 emissions inventory submittal was utilized for actual emissions since the 2025 emissions inventory had not yet been submitted when the initial review was conducted. The 2024 emissions were used to update actual emissions on page 1.

The total heat input rating for natural gas combustion is currently 44.27 MMBtu/hr with the removal of equipment that has occurred over the last few years, and the replacement of the catalytic oxidizer CD-I3 with a regenerative oxidizer CD-I4.

As discussed in the preceding section regarding NC Air Toxics requirements, the VOC maximum input figures for each machine that have been reported as maximum rated capacity in this and previous permit applications appears to have been derived from proposed NC Air Toxics limits that were part of the 2001 permit application for an expansion at this facility. These maximum VOC input rates were compared to actual VOC input rates from recent emissions inventories and appear to be conservative.

SECTION E

SUPPORTING DOCUMENTATION

(Provide brief description of any attachments)

1. Emissions calculations,
2. Permit Application dated January 9, 2025 and amended application dated April 8, 2025,
3. Draft Permit,
4. Draft Permit Cover Letter, and
5. Draft Public Notice.

Asheville-Buncombe Air Quality Agency Facility Inspection Report

Facility Inspection Information					
Facility Name:	Glatfelter Industries Asheville, Inc.				
Date of Inspection:	February 16, 2026		**Last Inspected:**	May 13, 2025	
Mailing Address:	1265 Sand Hill Road Candler, NC 28715		**Physical Location:**	1265 Sand Hill Road Candler, NC 28715	
Contact Name:	EHS position vacant			**Phone Number:**	Not known yet
Contact Email:	WilliamBunn@magnera.com (Site Director)				
Permit #:	11-862-18C	**Issued:**	May 14, 2018	**Expires:**	March 31, 2026
Inspector(s):	Steve Ensley				
Results:	Appears in compliance			**Inspection Time:**	1030

Introduction

On February 16, 2026, I traveled to Glatfelter Industries Asheville, Inc., formerly Jacob Holm Industries (America), Inc. to perform an unannounced compliance inspection. Glatfelter manufactures spunlace non-woven textiles that are used in a variety of applications including baby wipes and flushable wipes. Operation of this facility is granted under permit number 11-862-18C which was issued on May 14, 2018, amended September 14, 2020, September 27, 2021, and May 24, 2022, and expires on March 31, 2026. I met with Bill Bunn and Maintenance Manager Nathan Young who gave me a tour. Mr. Young explained that their EHS manager position has been vacant for some time. It was briefly filled by Nick Brand in 2025 but the position is now vacant again. Mr. Young stated that there had been no changes to the facility nor had any equipment been added or removed since the last inspection. He also mentioned that production is down this year due to market share lost when they weren't able to operate following Helene. He estimated that they are operating at 66% capacity. Line 5 was down at the time of the inspection due to a malfunction.

Safety Equipment / Special Instructions

Steel-toed shoes, hearing protection, and a safety vest, are required while touring the facility.

Permitted Equipment

Emission Source Description	Control Device	Observation
One (1) spunlace non-woven textile slitting process	ES-2: One Dust Control Filter (80-20-025) with 1,153 square feet of filter area.	In operation. No emissions observed. Pressure drop .5 in H_2O. Mr. Young explained that this source is vented inside.
One (1) spunlace non-woven manufacturing process (Line 6) controlled by ES-3, ES-4, ES-5, ES6	ES-3: One (1) Dust Control Filter (25-10-000) with 16,275 square feet of filter area.	Observed In operation. No visible emissions observed. Pressure drop 385 Pa
	ES-4: One (1) Dust Control Filter (25-20-000) with 16,275 square feet of filter area.	Observed In operation. No visible emissions observed. Pressure drop 61 Pa
	ES-5: One (1) Dust Control Filter (25-30-000) with 16,275 square feet of filter area.	Observed In operation. No visible emissions observed. Pressure drop 218 Pa
	ES-6: One (1) Dust Control Filter (25-40-000) with 16,275 square feet of filter area.	Observed In operation. No visible emissions observed. Pressure drop unable to be observed.
One (1) HVAC process	ES-7: one Dust Control Filter (GS6) with 2,098 square feet of filter area.	Not in operation. Mr. Young stated that this has not operated for years. We will need to follow up with the company to see if they need to continue to permit this equipment.

Exempt Sources:

Emission Source Description	Observation
One spunlace non-woven textile manufacturing process with emissions vented indoors (Line 5).	Not in operation
One closed loop fan and cyclone separator	Not in operation
Natural gas burner 1 with a maximum heat input rating of 23.20 million BTU/hr	Not in operation
Natural gas burner 2 with a maximum heat input rating of 3.14 million BTU/hr	Not in operation
Natural gas burner 3 with a maximum heat input rating of 2.07 million BTU/hr	Not in operation

Natural gas burner 4 with a maximum heat input rating of 31.39 million BTU/hr	Not in operation

Permit Conditions:

The following permit conditions were reviewed during this inspection:

- A.7 – This condition requires that the permittee maintain and operate the facility at all times so that the overall reduction in air pollutants, in accordance with applicable standards, is achieved. **The facility has developed a maintenance schedule for equipment and is maintaining records of all maintenance. Additionally, the facility is maintaining an inventory of spare parts for equipment. The facility has established standard operating procedures for equipment and is training equipment operators on the procedures.**
- A.8 – This condition requires that the facility notify the Agency in the event of a malfunction. **The facility has not experienced any malfunctions since the last inspection.**
- A.11 – This condition requires that the facility pay their annual permit fee on a timely basis. **The facility is up-to-date on fee payments. The facility last submitted their fee payment on May 6, 2025.**
- A.12 – This condition states that the facility is required to submit a permit renewal request no later than ninety (90) days prior to permit expiration**. The facility's permit renewal application was due on December 31, 2025 and received on December 29, 2025.**
- A.14 – This condition states changes to the facility that are not exempt pursuant to AB Air Quality Code 17.0102 may be allowed without first modifying an applicable air permit if the change(s) meet(s) the requirements of AB Air Quality Code 17.0318(b)(1)

through (b)(5) and the owner or operator notifies the Director in writing, using forms provided by the Agency. **The facility has not made any changes.**

- A.15 – This condition requires the facility retain a copy of the permit on the premises. **The facility had a copy of their current operating permit on-site.**
- B.2 – This condition states the facility shall be operated to prevent odorous emissions from being emitted beyond the boundary of the facility. **No odors were observed during the inspection.**
- B.3 – This condition establishes the allowable PM emission rate for each emission point using an equation based on a function of the process weight rate. **The table below lists the calculated emission rates. The emission rates are below the calculated emission limit.**

Emission Source	Process Weight Rate (tons/hour)	Particulate Matter Emission Limit (lbs/hour)	Maximum Potential Emissions (lbs/hour)*
ES2[1]	0.001	0.04	0.01
ES3[1]	0.100	0.88	0.23
ES4[1]	0.100	0.88	0.23
ES5[1]	0.100	0.88	0.23
ES6[1]	0.100	0.88	0.23
ES7[1]	0.129	1.04	0.01

*Emission rate with control devices operating.

[1]Maximum design capacities are 2.2 pounds an hour for ES-2, 200 pounds per hour for E-3 through E-6, and 257 pounds per hour for ES-7.

- B.4 – This condition limits visible emissions from all sources to no more than 20 percent opacity when averaged over a six-minute period. **No visible emissions were observed during the inspection.**

- B.5 – This condition states that 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. The facility is minimizing fugitive emissions and actively working to prevent any fugitive emissions from leaving the site. **No fugitive emissions were observed leaving the site during the inspection.**
- B.6 – This condition establishes the synthetic minor emissions limits the facility must meet in order to avoid Title V applicability. **The facility is meeting these requirements by meeting the requirements of condition B.7**.
- B.7 – This condition requires the facility to operate the dust control filters on their equipment at all times when the process is operating. **The facility is not operating ES-2 – ES-7 without its associated dust control filters.**
- B.8 – This condition states that the facility must inspect and maintain their dust control filters and maintain a logbook of these activities**. The facility is conducting monthly checks on the dust control filters. All items checked during the facility's prior annual inspections are now conducted monthly in order to attempt to cut down on blockages and malfunctions. Issues found during these monthly checks receive immediate corrective action. The facility provided monthly service records for the dust collectors. All units were last inspected on February 11, 2026.**
- B.9 – This condition requires the facility to submit an annual report by February 15th. **The facility is submitting annual reports as required. The most recent report was received on February 11, 2026. For 2025, the facility operated for a total of 7152 hrs. Before Helene, the facility normally operated 24 hours a day 365 days a year. Due to market share lost during the downtime following the storm, they are operating at approximately 66% of capacity. The facility used a total of 148,736,000 cubic feet of natural gas.**

Compliance History:

On June 14, 2022 a notice of deficiency (NOD) was issued to Glatfelter (Jacob Holm) for late submittal of their annual report for 2021.

On February 22, 2024, a notice of violation (NOV) was issued to Glatfelter (Jacob Holm) for violation of permit condition A.7. Permit Condition A.7 of Permit No. 11-862-18C states that the facility should be "operated and maintained at all times so that the overall reduction in air pollutants, in accordance with applicable standards, is achieved." On January 18th, 2024 the Asheville-Buncombe Air Quality Agency (AB Air Quality) received a complaint about material that originated from the Glatfelter facility at 1265 Sandhill Road in Candler, NC. AB Air Quality Agency arrived at the facility and found that material that was supposed to be contained in the compacter was instead released to the outside due to some missing ductwork on ES-2. By diverting material to the compacter without the ductwork in place in ES-2, this allowed air pollutants to escape what would normally be contained in your dust collection system, which includes the compacter. A Notice of Violation for failure to comply with condition A.7 was issued on February 22, 2024 that included a request for additional information about the most recent incident. On March 18, 2024, the facility submitted the requested information including what caused the excess emissions. A civil penalty of $6,852.00 for this incident was issued on July 24, 2024. This was resolved when the penalty was paid on 8/26/24.

Conclusion:

Based on the above information, Glatfelter Industries Asheville, Inc. appears to be in compliance with all applicable regulations of the AB Air Quality Code. It is recommended that this permit be renewed.

Signature: _____ **Date:** 3/5/2026

Reviewer Signature: _____ **Date:** 3/4/2026

Supervisor Signature: _____ **Date:** 3/4/2026

Asheville-Buncombe
Air Quality Agency

Memo

To: Air Quality Board

From: James Raiford

CC: Ashley Featherstone

Date: March 5, 2026

Re: Buncombe County Landfill II - Comments on Draft Title V Permit

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A notice announcing the opportunity for public comment on the draft Title V Permit for Buncombe County Landfill II was published in the Asheville-Citizen Times on January 20, 2026 and placed on the agency website. During the public comment period, the facility submitted suggested comments/revisions to the permit. These comments were minor in nature and updated various references and corrections in the permits. A full list of those comments can be found in the file folder for this permit renewal. Slight changes to the permit were made in response to these comments. No other comments were received during the 30-day public comment period, which ended on February 19, 2026.

A copy of the public notice was emailed to affected state and tribal agencies, including NC DAQ, SC DHEC, GA DNR, TN DEC, and the Eastern Band of the Cherokee Nation. No comments were received from these entities.

The draft Title V Permit and components of the application review package were sent to EPA Region 4 for review on January 9, 2026. The Agency did not receive any comments from EPA and their 45-day review ended on February 23, 2026.

Asheville-Buncombe Air Quality Agency
APPLICATION REVIEW SUMMARY

SECTION A: FACILITY INFORMATION			
Company Name:	Buncombe County Government		
Site Name:	Buncombe County Landfill II		
Mailing Address:	81 Panther Branch Road, Alexander, NC 28701		
Site Address:	81 Panther Branch Road, Alexander, NC 28701		
General Description of Business:	Municipal Solid Waste Landfill		
Facility Classification:	Title V	**Site Status:**	Existing

SECTION B: APPLICATION INFORMATION			
Date Of Application:	December 15, 2022	**Application Tracking No.:**	N/A
Date Complete Application Received:	December 19, 2022	**Board Meeting Date:**	March 12, 2026
Confidentiality Requested?	No	**Board Agenda Type:**	Modification
Application Results:	Buncombe County Landfill II is requesting that their permit be modified because they are now subject to NSPS Part 60 Subpart XXX.		
Permit No. / Date Issued by Application:	11-542-22A / March 12, 2026		
Permit No. / Date Voided by Application:	11-542-22A / January 11, 2022		

SECTION C: REGULATORY INFORMATION	
AB Air Quality Regulations:	4.0516, 4.0521, 4.0524, 4.0540, 4.1111, 4.1806, 17.0705, 17.0500

SECTION D: FACILITY-WIDE EMISSIONS INFORMATION		
Pollutants Reviewed as a Result of this Application or AB Air Quality Action:	**2024 Actual Emissions (TONS/YR)**	**Potential Emissions (TONS/YR)**
CO	28.26	218.59
NO_X	6.77	65.09
PM	1.65	10.21
$PM_{10}/PM_{2.5}$	1.65	10.21
SO_2	0.48	14.33
VOC	2.66	23.88
All Hazardous Air Pollutants (HAPs)	9.04	16.03
List all HAPs >10TPY of potential emissions	None	

IN COMPLIANCE WITH EMISSION STANDARDS / RECOMMEND APPROVAL			
Prepared By:	James C. Raiford /	**Date Completed:**	1/13/2026
Reviewed By:	Ashley J. Featherstone /	**Date Approved:**	1/16/2026
Director:	Ashley J. Featherstone /	**Date Approved:**	1/16/2026

SECTION A DETAILS

FACILITY INFORMATION

[Detailed discussion of any items in Section A]

The Buncombe County Solid Waste Department (BCSW) operates the Buncombe County Landfill II, a municipal solid waste (MSW) landfill. In addition to operating the RCRA (40 CFR 258) Subtitle D landfill, the Buncombe County Solid Waste Management Facility operates a construction and demolition (C&D) landfill, wood waste mulching facility, convenience center for residential solid waste drop-off, a household hazardous waste (HHW) facility, and a white goods and tires holding facility at this location. Construction of the landfill began in 1993 and waste acceptance began in October 1997. The facility has a design capacity of approximately 6.17 million megagrams (Mg) and 3.16 million cubic meters (m^3) of refuse and is estimated to provide 35 years of operation. As the design capacity is in excess of 2.5 million Mg and 2.5 million m^3 of refuse, the landfill is regulated as a Title V source per applicable requirement in 40 CFR Part 60, Subpart WWW – "Standards of Performance for Municipal Solid Waste Landfills," Section 60.752(b). The facility has also installed a landfill gas collection and control system that is controlled by a 45 MMBtu/hr landfill gas fired candle-stick type flare.

The facility operates one landfill gas-fired engine/generator set (1,466 kW capacity) which is subject to NSPS Subpart JJJJ and MACT Subpart ZZZZ. The engine generator set produces electricity to be sold to the electric grid an operates around the clock unless there are problems.

This facility originally had a Title V Operating Permit with this Agency, but in 2014, it was proposed that the Director of the WNC Regional Air Quality Agency (WNCRAQA) would also be serving as the Director of the Buncombe County Solid Waste Department, which was seen as a conflict of interest. The North Carolina Department of Environmental Quality (DEQ) issued a Title V Permit on for the facility on December 5, 2014. Since then, the Director of WNCRAQA is no longer working for Solid Waste, so there is no conflict of interest in being the regulatory agency for this facility. On August 24, 2021, this Agency issued a 60 day notice of intent to reopen the Title V Permit to Buncombe County Landfill II with the intention of resuming the permitting and enforcement duties for the facility. This permit was issued on January 11, 2022.

When the permit was issued in 2022, the facility was subject to 40 CFR Part 62, Subpart OOO – "Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014" which was promulgated on May 21, 2021, and replaced requirements that were initially stated in 40 CFR Part 60, Subpart WWW – "Standards of Performance for Municipal Solid Waste Landfills". Due to a disposal expansion that began in 2022, the landfill is now subject to 40 CFR Part 60, Subpart XXX – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014". The requirements of this rule are nearly identical to 40 CFR Part 62, Subpart OOO. The permit was modified to include references to the new rule. Additionally, the general conditions in the permit were updated.

SECTION B DETAILS

APPLICATION INFORMATION

[List all emission sources (permitted and exempt) reviewed as a result of this application, their associated control devices and pollutants. Provide a detailed discussion of any other items in Section B at bottom under "Application Notes"]

Emission Source ID	Emission Source Description 1. Type, manufacturer, capacity 2. Control device with ID (if any)	Pollutant(s) Emitted	Miscellaneous Notes
C1	Municipal Solid Waste Landfill, consisting of a 121-acre dump area.	NMOC, HAPs/TAPs	The emissions are controlled by a gas collection and control system, including a two stage LFG Specialties candlestick-type flare rated at 45 MMBtu/hr. Model # CF1238110. The two stage flare has minimum and maximum inlet air flow rates of 300 and 3,000 acfm, respectively. The gas duct for the smaller flare is attached to the duct of the larger flare and both flare burners are in the same wind enclosure. The flares are referred to as Flare 1 and 2 and can not operate at the same time. Flare 1 is the smaller flare and Flare 2 is the larger flare.
G1	One GE/Jenbacher electrical generator set, Model JGS 420, fired by landfill gas, with a maximum rated heat input capacity of 17 MMBtu/hr (engine output capacity 1,966 HP).	PM, PM-10, PM-2.5, NOx, CO, SO2, VOCs, HAPs/TAPs	Engine generator or genset produces electricity (1,466 kW or 1.466 MW) to be sold to the electric grid. Engine was manufactured in 2011. The engine was replaced in 2016 as a like for like replacement.
TG1	One Morbark Tub Grinder, Model 1200XL, fired by diesel fuel, with a maximum rated capacity of 750 HP	PM, PM-10, PM-2.5, NOx, CO, SO2, VOCs, HAPs/TAPs	
	One 1.0 million-gallon capacity leachate pond with a surface area of 30,000 ft^2	VOCs, HAPs/TAPs	This equipment meets the definition of insignificant activity pursuant to the AB Air Quality Code 17.0503 – "Definitions."

APPLICATION NOTES

SECTION C DETAILS

REGULATORY INFORMATION

(Identify the AB Air Quality Regulations reviewed because of this application. At a minimum, the regulations already listed should be reviewed and reason given for applicability or non-applicability. If a regulation has a standard, list the standard and indicate how the source is in compliance.)

AB Air Quality Regulation Number / Title	Emission Source ID No(s). Subject	Notes on Regulation (Compliance demonstration, applicability, etc.)
17.0500 – Title V Procedures	C1	As the design capacity is in excess of 2.5 million Mg and 2.5 million m^3 of refuse, the landfill is regulated as a Title V source per applicable requirement in to 40 CFR Part 60, Subpart XXX – "Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014" Section 60.762(c).
17.0700 – Toxic Air Pollutant Procedures	NA	The facility has not triggered a toxics review.
4.0524 – New Source Performance Standards	C1	Since the facility is expanding their disposal area, the facility is subject to 40 CFR Part 60, Subpart XXX – "Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014". The landfill was previously subject to 40 CFR Part 62, Subpart OOO – "Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014." The rules are nearly identical. Just like Subpart OOO, Subpart XXX stipulates that the landfill shall install and operate a gas collection and control system (GCCS) after NMOC emission rate equals or exceeds 34 Mg per year. Tier 2 testing is required by the Subpart at least every 5 years to determine when a GCCS is required. Tier 2 testing was last conducted on September 19, 2025. Based on the average NMOC concentration obtained from the Tier 2 testing, the revised NMOC emission rate was calculated to be 13.9 Mg/yr. This is below the threshold for installing a gas collection and control system per 40 CFR Part 60, Subpart XXX.

4.0524 – New Source Performance Standards	G1	The generator is subject to 40 CFR Part 60 Subpart JJJJ – "Standards of Performance for Stationary Spark Ignition Internal Combustion Engines." The emission standards are specified in §60.4233(e), which states that for engines manufactured after 7/1/2010, the g/HP-hr standards are 2.0, 5.0, and 1.0 for NOx, CO, and VOC, respectively. This engine was replaced in 2016 with an identical rebuilt engine per DEQ inspection reports. The engine was tested within 60 days of replacement as required by the NSPS. Owners and operators that purchase an engine with an output rating of > 500 HP that has not been voluntarily certified by the manufacturer to meet applicable emissions limits as specified in the subpart (which is the case for G1) are required to conduct an initial performance test and subsequent performance testing every 3 years or 8,760 hours, whichever comes first. Owners and operators of these engines must also keep a maintenance plan and records of conducted maintenance, and must maintain and operate the engine in a manner consistent with good air pollution control practices for minimizing emissions. Compliance testing is conducted annually and was last conducted on February 18, 2025, and the source is meeting the standards.
4.0530 – Prevention of Significant Deterioration	NA	The facility does not have potential emissions above the applicability threshold of 250 tons per year for any criteria pollutant, nor is it one of the 28 source categories that has an applicability threshold of 100 tons per year for any criteria pollutant.
4.1110 – National Emission Standards for Hazardous Pollutants (40 CFR 61)	C1	The facility is subject to 40 CFR Part 61 Subpart M – National Emission Standard for Asbestos. These regulations include waste and management practices for this disposal of asbestos. A condition with these work practices was added to the permit.

4.1111 – MACT (40 CFR 63)	C1	At this time, the landfill is not subject to the municipal landfill MACT standard (40 CFR Part 63, Subpart AAAA: National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills) because it is not currently a major source of HAPs (greater than 10 tons per year (tpy) of a single HAP or 25 tpy of multiple HAPs), and the NMOC emission rate from the landfill does not exceed 50 Mg/yr. Furthermore, the leachate recirculation project at the landfill does not meet the definition of a bioreactor in the standard, because the landfill only recirculates leachate—no other liquids are added to accelerate and enhance the anaerobic biodegradation of the waste.
4.1111 – MACT (40 CFR 63)	G1	The generator is subject to 40 CFR Part 63, Subpart ZZZZ – "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines." NESHAPS Subpart ZZZZ is related to NSPS Subpart JJJJ and compliance with Subpart ZZZZ is achieved by compliance with Subpart JJJJ.
4.1111 – MACT (40 CFR 63)	TG-1	The tub grinder (TG1) is defined in 40 CFR 1068.30 as a nonroad engine since it is used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function. Therefore it is not subject to 40 CFR Part 63, Subpart ZZZZ – "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines."
4.0516 – Sulfur Dioxide Emissions from Combustion Sources	C1 and G1	Sulfur dioxide emissions shall be less than 2.3 MMBtu/hr from the flare and generator.
4.0521 – Control of Visible Emissions	C1 and G1	Visible emissions shall be less than 20% opacity from the flare and generator.
4.1806 – Control and Prohibition of Odorous Emissions	Entire Facility	The facility shall take adequate precautions to prevent odorous emissions from leaving the property boundaries.
4.0540 – Particulates from Fugitive Nonprocess Dust Emission Sources	Entire Facility	The facility shall be operated such that reasonable precautions are taken to prevent particulate matter from becoming airborne.
General Statue §62-133.8 (g) - Senate Bill 3 – Session Law 2007-397	G1	G1, a biomass combustion process that is otherwise not subject to the Best Available Control Technology (BACT) requirements of the PSD program, meets the definition of a "new renewable energy facility" and is required to meet state BACT. More details of the BACT analysis and determination are below in the notes section.

REGULATORY NOTES

In a previous permit modification, the permit was opened to incorporate the requirements of NC Senate Bill 3 – Session Law 2007-397 [General Statue §62-133.8 (g)], which includes a requirement for any

biomass combustion process that is otherwise not subject to the Best Available Control Technology (BACT) requirements of the PSD program and that is determined to be a "new renewable energy facility" to meet BACT. The BACT limits in the permit were modified by NC DAQ in 2016 to match the requirements of NSPS Subpart JJJJ. The pollutants covered under SB3 State BACT analysis are Carbon Monoxide (CO), Nitrogen Oxides (NOx), Particulate Matter (PM10/PM2.5), Volatile Organic Compounds (VOCs), Sulfur Dioxide (SO2), Lead (Pb), and Mercury (Hg). SB3 BACT shall be applied to emissions resulting from biomass combustion on a per pollutant basis. There is no significance level or lesser quantity cutoff at which SB3 would not be triggered.

SECTION D DETAILS				
EMISSION INFORMATION				
Calculation Method Codes (List all that apply)	1 = Stack test result 2 = Material (mass) balance 3 = EPA approved information (AP-42, CTG, etc.) 4 = Other (specify in table below)			
Calculation Rejection Codes (List all that apply)	1 = Calculation error 2 = Wrong emission factor(s) used 3 = Control efficiency(ies) not accepted 4 = Other (specify in table below)			
Emission Source (ID No.)	**Calculation Method Code**	**Accept or Reject?**	**Calculation Rejection Code**	**AB Air Quality Calculations Attached?**
C1, G1, TG1	2,3	Accept	NA	No

EMISSION NOTES

Actual emissions are based on the 2024 Air Emissions Inventory submitted by Buncombe County Landfill. Potential emissions were updated based on the application submittal. Actual and potential emissions were reviewed by AB Air Quality staff.

SECTION E

SUPPORTING DOCUMENTATION

(Provide brief description of any attachments)

1. Permit Application from BCSW
2. Draft Permit
3. Draft Permit Cover Letter

Asheville-Buncombe Regional Air Quality Agency
APPLICATION REVIEW SUMMARY

SECTION A: FACILITY INFORMATION			
Company Name:	Duke Energy Progress, LLC		
Site Name:	Asheville Combined Cycle Plant		
Mailing Address:	46 Duke Energy Lane, Arden, NC 28704		
Site Address:	46 Duke Energy Lane, Arden, NC 28704		
General Description of Business:	Electric Generation		
Facility Classification:	Title V	**SITE STATUS:**	Existing

SECTION B: APPLICATION INFORMATION			
Date of Application:	November 13, 2025	**Application Tracking No.:**	NA
Date Complete Application Received:	November 14, 2025	**Board Meeting Date:**	March 26, 2026
Confidentiality Requested?	No	**Board Agenda Type:**	Modification
Application Results:	With this application, Duke Energy Progress is requesting to be reclassified as an area source of hazardous air pollutants.		
Permit No. Issued by Application:	11-628-22D / March 6, 2026		
Permit No. Voided by Application:	11-628-22C / November 20, 2025		

SECTION C: REGULATORY INFORMATION	
AB Air Quality Regulations:	4.0515, 4.0516, 4.0519, 4.0521, 4.0524, 4.0530, 4.0535, 4.0536, 4.0540, 4.0606, 4.0608, 4.0612, 4.0614, 4.1111, 4.2400, 4.2500, 17.0317, 17.0402, 17.0500, 17.0501, 17.0504

SECTION D: FACILITY-WIDE EMISSIONS INFORMATION

Pollutants Reviewed as a Result Of This Application Or AB Air Quality Action:	Actual Emissions (TONS/YR) CY 2024	Prior Potential Emissions (TONS/YR)	Potential Emissions (TONS/YR)
CO	46.4	163*	163*
NO_X	421.6*	4,208*	4,208*
PM	12.3*	108	146
PM_{10}	10.2*	98	136
$PM_{2.5}$	10.2*	98	136
SO_2	8.1*	26.0	26.0
VOC	18.8	52.8	52.8
Greenhouse Gases (GHG), $CO2_e$	1,625,070	3,525,740	3,525,740
All Hazardous Air Pollutants (HAPs)	5.3*	10.9*	10.9*
List all HAPs >10TPY of potential emissions		None	None

Potential emissions include operational limits on the combustion turbines. Potential emissions for PM, PM_{10} and $PM_{2.5}$ are based on the PAL. *Emission numbers denoted with an (*) reflect "controlled" emissions (i.e., emissions reduced by a control device).

IN COMPLIANCE WITH EMISSION STANDARDS / RECOMMEND APPROVAL			
Prepared By	James C. Raiford /	**Date Completed:**	2/10/2026
Reviewed By:	Ashley J. Featherstone /	**Date Reviewed:**	2/11/2026
Director:	Ashley J. Featherstone /	**Date Approved:**	2/11/2026

SECTION A DETAILS

FACILITY INFORMATION

[Detailed discussion of any items in Section A]

Background

Duke Energy and Progress Energy merged in 2013 to create the new Duke Energy, the nation's largest utility. The company has approximately 57,500 megawatts of electric generation capacity through a mix of fossil-fuel, nuclear and hydroelectric plants and provides electric service to approximately 7.2 million customers in North Carolina, South Carolina, and Florida in the southeast, as well as Ohio, Kentucky, and Indiana in the Midwest. Duke Energy Progress (DEP), formerly Progress Energy Carolinas (PEC), represents Duke Energy's retail service area in the Carolinas. This service area spans about 34,000 square miles and includes much of the eastern half of North Carolina, the northeastern quadrant of South Carolina, and western North Carolina, including Buncombe County.

The Asheville Steam Electric Plant is one component in DEP's system of electrical generation. In their electrical generating operations, the Asheville Steam Electric Plant operates four permitted combustion sources: two natural gas / No. 2 fuel oil-fired, combined-cycle combustion turbines (Units 5 and 7) and two natural gas / No. 2 fuel oil-fired, simple-cycle combustion turbines (Units 3 and 4). The pollutants of concern result from fuel combustion in the boilers and turbines and include carbon monoxide (CO), nitrogen oxides (NO_X), particulate matter (PM, including PM_{10}, $PM_{2.5}$), sulfur dioxide (SO_2), volatile organic compounds (VOCs), and various hazardous air pollutants (HAPs). In addition to the four permitted combustion sources, DEP operates various other pieces of ancillary equipment, including the following permitted equipment: a natural gas-fired auxiliary boiler, two natural gas-fired dew point heaters, two emergency generators, an emergency fire pump engine, and two cooling towers. Insignificant activities include small combustion sources, storage tanks and ash handling and storage including a coal ash landfill.

Units 5 and 7 are identical 2,207 million BTU per hour (560 megawatts) General Electric natural gas / No. 2 fuel oil-fired simple/combined cycle internal combustion (IC) turbines that began commercial operation on August 8, 2019 and September 6, 2019, respectively. (Note: The nominal heat input rate when burning No. 2 fuel oil is 1,929.8 million BTU per hour [MMBtu/hr]. These are the main units used for electrical generation at the plant. The turbines use a selective catalytic reduction system (SCR) to reduce NO_X emissions and an oxidation catalyst to reduce CO emissions. One 1,250,000 gallon No. 2 fuel oil storage tank, installed in 2019, supplies the turbines.

Units 3 and 4 are identical 1,929 million BTU per hour (165 megawatts) General Electric natural gas / No. 2 fuel oil-fired simple-cycle internal combustion (IC) turbines that began operation on May 18, 1999 and February 3, 2000, respectively. (Note: The nominal heat input rate when burning No. 2 fuel oil is 1,929.8 million BTU per hour [MMBtu/hr]. The nominal heat input rate when burning natural gas is 1654 MMBtu/hr.) The turbines are utilized as peaking units. Typically, natural gas is combusted during summer months and No. 2 fuel oil is combusted during winter months. The turbines use direct water injection to reduce NO_X emissions. Two 1,804,000 gallon No. 2 fuel oil storage tanks, installed in 1999, supply the turbines.

Area Source Reclassification

In 2021, the facility requested to be reclassified as an area source under Section 112, which means the facility's potential to emit considering controls must be less than 10 tons per year threshold for any single HAP and less than 25 tons per year for any combination of HAPs. The facility submitted testing data to establish new emission factors for formaldehyde. Additionally, the facility submitted fuel oil analysis that states that metals in the fuel oil were determined to be at de-minimis levels as compared to the previously used AP-42 values for metals. As a result of this reclassification, the facility will no longer be subject to AB Air Quality Chapter 4.1111 Maximum Achievable Control Technology 40 CFR Part 63, Subpart YYYY – "Stationary Combustion Turbines" and 40 CFR Part 63 Subpart DDDDD – "National Emission Standards for Hazardous Air Pollutants: Industrial, Commercial, and Institutional Boilers and Process Heaters". These changes were incorporated into Permit 11-682-22A dated July 12, 2022.

Permit Amendment

Duke Energy Progress, Inc. had their Title V permit renewed on January 11, 2022. During the process of renewing the permit several sections of the permit had to be moved from Section II of their previous permit and placed in Section I of the new permit. During this process, a footnote that was in the previous permit was not carried over to the new permit. Specifically, Units 5 and 7 had a footnote in permit No, 11-628-16B that stated "The SCR system is operated on an as-needed basis to meet system wide NOx limitations." This notation should have been carried over into the new permit, and has existed in our permits since the first permit was issued with these new units. The facility does not need to operate the SCR in order to achieve system wide NOx limits, and this statement is also found in other similar permits throughout the state. Duke made us aware of this error in an email on October 25, 2022. This change was incorporated into Permit 11-682-22B dated January 12, 2023.

PAL Revalidation

In a letter dated December 2, 2024, Duke Energy Progress, LLC proposed emission factors to be revalidated for their Plantwide Applicability Limits (PAL) as required by Permit Condition 2.6.A(2)(b) of Permit No. 11-628-22B. This condition states that the permittee shall revalidate the emission factors for PM and PM-10 emissions through performance testing or other scientifically valid means once every five years after the issuance of the PAL Permit (Permit No. 11-628-16B issued May 18, 2020). Asheville-Buncombe Air Quality Agency reviewed the proposed emission factors submitted for revalidation and responded on December 18, 2024 (see letter for additional information). The Agency followed the guidance for revalidation set forth by the United States Environmental Protection Agency's (EPA) memorandum issued on August 4, 2020 by Anne L. Austin.

For Units 5 and 7 when burning natural gas, the facility submitted the same emission factors that were originally part of the PAL permit and were based on vendor specifications. The Agency did not believe that the proposed factors for Units 5 and 7 met the definition of contemporaneous, and we requested that a performance test be conducted to revalidate the emission factor for combusting natural gas in Units 5 and 7.

For Units 5 and 7 when burning oil, and for the remaining auxiliary equipment (Auxiliary Boiler, Emergency Generators, Fire Pump Engine, Dew Point Heaters, Cooling Towers, Gas Heaters, Ash Handling and Haul Roads), the Agency accepted the proposed emission factors since they are not significant sources of particulate matter emissions. Units 3 and 4 were recently tested and the emission factors for those units will not change.

The facility submitted the required notification to conduct testing on January 29, 2025. On February 27, 2025, Duke Energy Progress, LLC performed the required five year revalidation testing which changed the permitted natural gas emission factors for Units 5 & 7 from 6.20 lb/hr to 10.82 lb/hr. This permit amendment changes this emission factor in the table found in condition 2.6.A(3)(a), which is used to calculate emissions for comparison with the PAL emissions limit. The facility submitted a complete application to change these emission factors on April 22, 2025, and included the required administrative amendment permit fee. These changes were incorporated into Permit 11-682-22C dated November 20, 2025.

PAL Revision

In a letter dated November 13, 2025, Duke Energy Progress, Inc. proposed revising their PAL emission limits to incorporate the recent emission factors that were updated during the PAL Revalidation. When the PAL was first established in 2020, the limit was calculated using an emission factor of 6.20 lb/hr for Units 5 and 7 when burning natural gas based on vendor-supplied emission factors. As a result of the required performance testing to revalidate the PAL emission factors, the new emission factor of 10.82 lbs/hr is now being used to calculate emissions when burning natural gas. This is resulting in higher emissions estimates, and DEP is proposing to increase the PAL limits from 108 tons per year to 146 tons per year for PM and from 98 tons to 136 tons per year for PM-10.

The agency reviewed the "Guidance on Plantwide Applicability Limitation Provisions Under the New Source Review Regulations" memorandum issued on August 4, 2020 by Anne L. Austin of the United States Environmental Protection Agency (EPA). In this document, it states:

> Sources and reviewing authorities should ensure, however, that when emission factors are adjusted or revised for PAL monitoring purposes, the baseline actual emissions calculations used to set the PAL level are adjusted as appropriate to avoid inequitable outcomes. This may be accomplished through the mandatory reopening provisions at 40 CFR 52.21(aa)(8)(ii)(a)(1), which apply to the correction of "typographical/calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.
>
> Pursuant to 40 CFR 52.21(aa)(8)(ii)(c), if the correction(s) results in an increase in the level of the PAL, the reopening shall be carried out in accordance with the public participation requirements of 40 CFR 52.21(aa)(5).

This change will be made according to 40 CFR 52.21(aa)(8)(ii)(a)(1) to "reflect a more accurate determination of emissions used to establish the PAL". The PAL limits will be increased from 108 tons per year to 146 tons per year for PM and from 98 tons to 136 tons per year for PM-10. Since the PAL limit is increasing, there will be an allowance for public participation as required by 40 CFR 52.21(aa)(5).

SECTION B DETAILS

APPLICATION INFORMATION

[List all emission sources (permitted and exempt) reviewed as a result of this application, their associated control devices and pollutants. Provide a detailed discussion of any other items in Section B at bottom under "Application Notes."]

Emission Source ID	Emission Source Description 1. Type, manufacturer, capacity 2. Control device with ID (if any)	Pollutant(s) Emitted	Miscellaneous Notes
Permitted Sources			
Unit 5 and Unit 7	Two (2) natural gas/No. 2 fuel oil fired simple/combined cycle internal combustion turbines with a nominal rated capacity of 2,207 MMBtu/hr each, each equipped with SCR (SCR5 and SCR7) and oxidation catalyst (OxdnCat5 and OxdnCat7), equipped with two steam turbines.	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	SCR system and oxidation catalyst are applicable for combined-cycle mode of operation only. Bypass stacks are included for simple cycle mode. Two different combustion turbines were under consideration, manufacturers were GE and Siemens. Total generator output capacity for both units combined is estimated at between 400,000 and 560,000 KW or 400 to 560 MW. Please see additional notes below. As part of this modification, the heat input is being updated in the permit based on the final selection of the equipment, which was the GE units. The emissions estimates were updated in the application accordingly.
Unit 3 IC Turbine	One (1) 1,929 million BTU per hour General Electric natural gas / No. 2 fuel oil-fired simple-cycle internal combustion turbine	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	This unit employs direct water injection to reduce NO_X emissions.
Unit 4 IC Turbine	One (1) 1,929 million BTU per hour General Electric natural gas / No. 2 fuel oil-fired simple-cycle internal combustion turbine	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	This unit employs direct water injection to reduce NO_X emissions.
AuxBoiler	One (1) 47.6 MMBtu/hr natural gas-fired auxiliary boiler	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	
Emergency Generator 2 & 3	Two (2) diesel-fired emergency use black start engines with rated output capacities of 1,400 horsepower each	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	
Fire Pump Engine 2	One (1) diesel-fired emergency use fire pump engine with a rated output capacity of 335 horsepower	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	

DPH1A and DPH1B	Two (2) 8.8 MMBtu/hr natural gas-fired dew point heaters	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	
CTWR1 & CTWR2	Two (2) cooling towers	PM, PM_{10}, $PM_{2.5}$	
Emergency Generator 4	One (1) diesel-fired emergency use fire pump engine with a rated output capacity of 762 horsepower	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	This source previously listed in the insignificant activity list was added to the permitted equipment since it is subject to NSPS Subpart IIII and MACT Subpart ZZZZ.
Emergency Generator 5	One (1) diesel-fired emergency use fire pump engine with a rated output capacity of 142 horsepower	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	In a letter dated February 4, 2021, DEP notified the Agency of the addition of this engine. This source would be considered an insignificant activity but was added to the permitted equipment since it is subject to NSPS Subpart IIII and MACT Subpart ZZZZ.
Heat 1	One (1) 4.0 MMBtu/hr natural gas-fired heater	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	This source previously listed in the insignificant activity list was added to the permitted equipment list because it was included in a facility wide NC Air toxics analysis.

Insignificant Activities [per AB Air Quality 17.0503(8)]			
1	Two (2) 1,804,000-gallon capacity aboveground No. 2 fuel oil storage tank	VOCs	
4	One (1) 4.00 million BTU per hour natural gas-fired gas heater	CO, NO_X, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	
8	Two (2) 6,200-gallon capacity lube oil tanks	VOCs	
9	Two (2) 250-gallon capacity false start drain tanks	VOCs	
17	One (1) 500-gallon capacity mobile diesel fuel storage tank	VOCs	
18	Ash handling /Ash pond / Landfill	PM, PM_{10}, $PM_{2.5}$	
23	Two (1) 400 gallon capacity 19% aqueous ammonia stainless steel totes for chemical injection system	TAP	
25	Two (2) 22,000 gallon capacity 19% aqueous ammonia storage tank sized for 168 hours full duct-fired load for SCR Injection	TAP	
26	One (1) 1,250,000-gallon capacity aboveground No. 2 fuel oil storage tank	VOCs	The facility has indicated that they may install one additional tank of this size in the future.

28	Road Dust	PM, PM_{10}, $PM_{2.5}$	Road dust was included in the insignificant activity list for the current permit modification since it is included in facility wide emissions for the PALs. It will be added to the insignificant activity list in the permit as part of this modification.
29	Four (4) 2.15 MMBtu/hr natural gas-fired turbine building heaters	CO, NOx, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	These sources meet the definition of insignificant activities in Chapter 17.0503(8).
30	One (1) 0.808 MMBtu/hr natural gas-fired auxiliary boiler building heater	CO, NOx, PM, PM_{10}, $PM_{2.5}$, SO_2, VOCs, HAPs/TAPs, CO_{2e}	This source meets the definition of insignificant activity in Chapter 17.0503(8).
32	One (1) 500 gallon double wall diesel tank for use in the fuel containment area	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8).
33	One (1) 500 gallon double wall gasoline tank for use in the fuel containment area	VOCs, HAPs/TAPs	This tank meets the definition of insignificant activity in Chapter 17.0503(8).
34	One (1) 500-gallon kerosene fuel tank	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
35	One (1) portable 250-gallon fuel tank	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
36	Two (2) 6,150-gallon storage tank for CT Lube Oil	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
37	Two (2) 900-gallon No. 2 diesel fuel tanks for EMG	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
38	One (1) 460-gallon No. 2 diesel fuel storage tank for emergency fire pump	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
39	Two (2) 12,500-gallon storage tanks for ST Lube Oil	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
40	Two (2) 230-gallon storage tanks for Electric Hydraulic Control Oil	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.

41	One (1) 460-gallon No. 2 diesel fuel storage tank for emergency fire pump	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
42	Two (2) 2000-gallon diesel drain tank for false start	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
43	Two (2) 300-gallon drain tanks for fuel gas condensate	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.
45	One (1) 500-gallon kerosene fuel tank for use in the fuel oil containment area	VOCs	This tank meets the definition of insignificant activity in Chapter 17.0503(8). This has been added to the insignificant activities list for this renewal.

APPLICATION NOTES

SECTION C DETAILS

REGULATORY INFORMATION

(Identify the AB Air Quality Regulations reviewed because of this application. At a minimum, the regulations already listed should be reviewed and reason given for applicability or non-applicability. If a regulation has a standard, list the standard and indicate how the source is in compliance.)

AB Air Quality Regulation Number / Title	Emission Source ID No(s). Subject	Notes On Regulation (Compliance demonstration, applicability, etc.)
17.0500 – Title V Procedures (40 CFR Part 70)	All	DEP is subject to Title V permitting procedures due to: 1) potential emissions in excess of the 100-ton per year applicability threshold for criteria air pollutants; 2) applicability of Title IV; and 3) being a source category designated by EPA as subject to the requirements of 40 CFR Part 70. With this modification, the facility will be reclassified as an area source for HAPs.
17.0700 – Toxic Air Pollutant Procedures	Heat 1	The modification for the Western Carolinas Modernization Project (11-628-16A) included new sources of TAP emissions and a review under NC Air Toxics was triggered. Several sources have since been removed. Sources subject to MACT/GACT are not listed here but were included in the toxics demonstration. For more details, please see the section under Regulatory Notes below.
4.0524 – New Source Performance Standards (40 CFR Part 60 Subpart GG)	Unit 3 IC Turbine, Unit 4 IC Turbine	Each turbine is subject to the requirements of 40 CFR Part 60, Subpart GG – "Standards of Performance for Stationary Gas Turbines." Both meet the definition of "*stationary gas turbine*" in 60.331, exceed the applicability threshold of 10.7 gigajoules per hour (10.1 million BTU per hour) in 60.330, and were constructed after the applicability date of October 3, 1977 in 60.330. As such, both are subject to a NO_X emission limitation for natural gas and fuel oil and a fuel sulfur content standard of 0.8 percent by weight. The permit was previously modified such that fuel bound nitrogen is no longer of concern.

4.0524 – New Source Performance Standards (40 CFR Part 60 Subpart KKKK)	Unit 5 and Unit 7	These turbines are subject to the requirements of 40 CFR Part 60, Subpart KKKK – "Standards of Performance for Stationary Combustion Turbines." This rule applies to stationary combustion turbines with a heat input at peak load equal to or greater than 10 MMBtu/hour that commenced construction after February 18, 2005. Subpart KKKK includes emissions limits for SO_2 and NOx. The turbines will fire pipeline quality natural gas or ultra-low sulfur fuel oil (15 ppm sulfur) to comply with the SO_2 limit of 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input. The NOx limit for turbines that are greater than 850 MMBtu/hour is 15 ppm at 15% O_2 when the unit is operating at greater than 75% ISO load on at least 50% natural gas, 42 ppm at 15% O_2 when the unit is operating at greater than 75% ISO load on at least 50% oil, and 96 ppm at 15% O_2 when operating at a load less than 75% or at temperatures less than 0 degrees F. A NOx CEMS will be used to monitor compliance with the limit. Excess emissions is defined as any unit operating period in which the 30 day rolling average (combined cycle units) NOx emission rate exceeds the applicable emission limit. Affected sources must operate and maintain their stationary combustion turbine and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.
4.0524 – New Source Performance Standards (40 CFR Part 60 Subpart TTTT)	Unit 5 and Unit 7	These turbines are subject to the requirements of 40 CFR Part 60, Subpart TTTT – "Standards of Performance for Greenhouse Gas Emissions from Electric Generating Units." These standards were promulgated on October 23, 2015. This rule establishes standards for emissions of carbon dioxide (CO_2) for affected fossil fuel fired electric generating units (EGUs) constructed after January 8, 2014. The standard for newly constructed base load stationary combustion turbines that combust more than 90% natural gas on an annual heat input basis is 1,000 lb CO_2/MWh gross energy output.
4.0524 – New Source Performance Standards (40 CFR Part 60 Subpart IIII)	Emergency Generators 2,3,4,5, and Fire Pump Engine 2	These emergency-use generators are subject to the requirements of 40 CFR Part 60, Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, which requires the manufacturer to certify that the generators meet the emission limits listed in the subpart. The generators must be equipped with a non-resettable hour meter and nonemergency use (e.g., testing) is limited to 100 hours per year. Ultra low sulfur diesel (ULSD) fuel (15 ppm) must be used. The owner or operator is required to maintain records of emissions certifications, hours of operation and reason for operation, and maintenance activities.

4.0524 – New Source Performance Standards (40 CFR Part 60 Subpart Dc)	AuxBoiler	The auxiliary boiler is subject to 40 CFR Part 60, Subpart Dc – Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Subpart Dc applies to steam generating units with a heat input capacity greater than 10 MMBtu/hour but less than 10 MMBtu/hour for which construction commenced after June 9, 1989. The auxiliary boiler fires natural gas only and as a result, it is not subject to PM or SO_2 requirements of this rule. The source is subject to the requirement to maintain records of the amount of fuel combusted during each day or each calendar month per 40 CFR 60.46c(g).

4.0530 – Prevention of Significant Deterioration and 17.0317 – Avoidance Conditions	Unit 3 IC Turbine, Unit 4 IC Turbine, Unit 5, Unit 7, AuxBoiler Emergency Generators 2, 3, 4, 5, Fire Pump Engine 2, DPH1A and DPH1B, CTWR1 & CTWR2	The PSD regulations apply to major modifications at major stationary sources, which are considered those sources belonging to any one of the 28 source categories listed in the regulations that has the potential to emit more than 100 tons per year of any PSD regulated compound, or any other source which has the potential to emit more than 250 tons per year of any PSD compound. DEP is one of the 28 source categories (fossil-fueled steam electric plants greater than 250 MMBtu/hour heat input) and is a major stationary source for the purposes of PSD applicability. Since the time when the final PSD regulation was published in 1980, DEP has made no major modifications that are subject to a PSD review. At the time Unit 3 IC Turbine and Unit 4 IC Turbine were constructed, DEP requested avoidance conditions be placed in their permit to govern the modification such that a significant net emissions increase did not occur for any regulated pollutant. Avoidance conditions for Units 3 and 4 include a fuel oil sulfur content limit of 0.05 percent by weight and limiting total emissions from both units to 40 tons of SO_2 per year, 25 tons of PM per year, and 15 tons of PM_{10} per year; and limit facility-wide NO_X emissions to 13,725 tons per year. Compliance with these limitations is determined through monitoring, recordkeeping, and reporting over a consecutive 12-month rolling period. As part of the modification for the Western Carolinas Modernization Project (covered under Permit No. 11-628-16A), the proposed project's emissions were evaluated to determine whether PSD permitting is required. The net project emissions increases show that all emissions increases can be limited to rates below the PSD significant emissions rates. DEP requested PSD avoidance limits for CO, NOx, and filterable PM. All of the turbine exhaust stacks will be equipped with CEMS for NOx, CO, and O_2. The permit (11-628-16A) when issued included PSD avoidance limits for all NSR pollutants evaluated as part of this modification, with the exception of fluorides (NOx, SO_2, PM (filterable), PM_{10}, $PM_{2.5}$, CO, VOCs, sulfuric acid, and lead). Monitoring and reporting requirements are included in the permit for all pollutants listed here with the exception of sulfuric acid and lead, since potential emissions are less than the annual emissions limits that were utilized to ensure that the project emissions increases are below the PSD significant emission rates. In 2019, DEP has applied for a significant modification to establish plantwide applicability limits (PALs) and the issuance of a PAL permit in accordance with 40 CFR 51.166(w). A PAL is a pollutant-specific, source-wide emission limitation, expressed in tons per year ("TPY"), which provides a voluntary alternative for complying with the PSD

		preconstruction permitting program requirements. With a PAL, the owner or operator of a stationary source can make changes to the source without triggering PSD preconstruction permitting requirements as long as facility-wide emissions do not increase above the limit established by the PAL for a particular pollutant. When a PAL is established in a permit, all other PSD avoidance limits are removed from the permit for that pollutant. The PALs for 2 pollutants (PM, and PM-10) are based on the potential emissions from the new units installed plus the PSD significance level for each pollutant. As part of this permit modification, DEP is requesting to increase the PAL limits from 108 tons per year to 146 tons per year for PM and from 98 tons to 136 tons per year for PM-10. The reason that the PAL limits are increasing is because the emission factors for Units 5 and 7 increased after the facility conducted performance testing to revalidate their emission factors used to establish the PAL. Additional information can be found in Section A of this review.

4.1110 – National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)	NA	The facility has no equipment or processes subject to a standard under 40 CFR Part 61.
4.1111 – Maximum Achievable Control Technology (40 CFR Part 63 Subpart ZZZZ)	Emergency Generators 2,3,4,5, and Fire Pump Engine 2	The emergency engines are subject to 40 CFR Part 63, Subpart ZZZZ – "Reciprocating Internal Combustion Engines (RICE). Compliance with Subpart ZZZZ for new units is achieved by compliance with NSPS Subpart IIII (purchase of a certified engine).
4.1111 – Maximum Achievable Control Technology (40 CFR Part 63 Subpart YYYY)	Unit 5, Unit 7, Unit 3 IC Turbine, Unit 4 IC Turbine	Unit 5 and Unit 7 were previously subject to 40 CFR Part 63, Subpart YYYY – "Stationary Combustion Turbines", which applied to major sources of HAP emissions. Because of the reclassification of the facility as an area source of HAPs, this Subpart no longer applies and has been removed from the permit.
4.1111 – Maximum Achievable Control Technology (40 CFR Part 63 Subpart JJJJJJ)	AuxBoiler, DPH1A and DPH1B	The auxiliary boiler and the two new gas-fired dew point heaters were previously subject to 40 CFR Part 63 Subpart DDDDD – "National Emission Standards for Hazardous Air Pollutants: Industrial, Commercial, and Institutional Boilers and Process Heaters" which applied to major sources of HAP emissions. Because of the reclassification of the facility as an area source of HAPs, Subpart DDDDD no longer applies and has been removed from the permit. These sources are also not subject to 40 CFR Part 63 Subpart JJJJJJ – "National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources" as specified in 40 CFR 63.11195(e) because they burn natural gas. A condition was added to the permit to define gas-fired sources and to list notification and reporting requirements if they were to switch to burning fuel oil.

4.0503 – Particulates from Fuel Burning Indirect Heat Exchangers	AuxBoiler, DPH1A and DPH1B	The allowable emissions of particulate matter shall be determined by the following equation, where Q is the maximum heat input in million Btu/hour (MMBtu/hr) and E is the allowable emission rate for particulate matter in pounds per million Btu (lb/MMBtu): $E = 1.090 * (Q)^{-0.2594}$ For the purpose of this Rule, the maximum heat input shall be the total heat content of all fuels which are burned in a fuel burning indirect heat exchanger, of which the combustion products are emitted through a stack or stacks. The sum of maximum heat input of all fuel burning indirect heat exchangers at a plant site which are in operation, under construction, or permitted pursuant to Chapter 17, shall be considered as the total heat input for the purpose of determining the allowable emission limit for particulate matter for each fuel burning indirect heat exchanger. The maximum heat input for the auxiliary boiler is 47.6 MMBtu/hour. Maximum heat input for the two dew point heaters is 8.8 MMBtu/hour each. As such, the total heat input for all subject boilers is 65.2 MMBtu/hour and the calculated PM limit is 0.37 lb/MMBtu. The sources are expected to be in compliance since they will only fire natural gas. No additional monitoring, recordkeeping, or reporting will be required.
4.0515 – Particulates from Miscellaneous Industrial Processes	CTWR1 & CTWR2	The allowable emission rate is a function of the process weight rate and shall be determined by the following equation, where P is the process throughput rate in tons per hour (tons/hr) and E is the allowable emission rate in pounds per hour (lbs/hr): $E = 4.10 * (P)^{0.67}$ for $P \leq 30$ tons/hr $E = 55.0 * (P)^{0.11} - 40$ for $P > 30$ tons/hr Provided the facility maintains the dust collector on the sorbent trailers, it will be assumed these operations are in compliance with this regulation. For the cooling towers, the process rate is estimated to be 35,028 tons per hour (based on water circulation rate of 140,000 gallons per minute, density of 8.34 pounds per gallon at 59 degrees F). The allowable PM emission rate is 134 lb/hr. DEP has estimated that the maximum PM emission rate for the cooling towers is 0.35 pounds per hour, which is based on an expected TDS concentration of 1,000 ppm and a total drift rate of 0.0005%. As such, compliance with the emissions limit is expected and no monitoring, recordkeeping, or reporting will be required.

4.0516 – Sulfur Dioxide Emissions from Combustion Sources	AuxBoiler, DPH1A and DPH1B	These units are subject to this regulation because they combust sulfur-containing fuels. This regulation limits SO_2 emissions from each unit to 2.3 pounds per million BTU heat input. Since these units burn natural gas, they are expected to comply with this limit.
4.0521 – Control of Visible Emissions	Unit 3 IC Turbine, Unit 4 IC Turbine, Unit 5, Unit 7, AuxBoiler Emergency Generators 2, 3, 4, 5, Fire Pump Engine 2, DPH1A and DPH1B, CTWR1 & CTWR2,	These units are subject to this regulation because they are combustion sources. Visible emissions from all sources are limited to 20% opacity.
4.0540 – Particulates from Fugitive Non-process Dust Emission Sources	Facility-Wide	The intent of placing this regulation in the facility's permit is to govern facility-wide fugitive emissions from non-process sources, including fugitive emissions associated with handling, transportation and storage of coal ash. The facility will take reasonable precautions to prevent particulate matter from becoming airborne as the result of storage, transportation, processing, and/or handling of materials. Compliance with this regulation will be determined through facility self-monitoring and Agency inspections.
4.2400 – Clean Air Interstate Rule (CAIR) and the Cross State Air Pollution Rule (CSAPR)	Unit 3 IC Turbine, Unit 4 IC Turbine, Unit 5 and Unit 7	These units were subject to CAIR because they are specified in the list of electric utility boiler units in the regulation. The Cross-State Air Pollution Rule became effective in January of 2015. Currently this rule is a Federal Implementation Plan (FIP); however, it has not yet been incorporated into the North Carolina State Implementation Plan (SIP). On February 1, 2016, the CAIR provisions in the state SIP (15A NCAC 02D .2400) expired. For this permit renewal application, the Clean Air Interstate Rule, CAIR, had been replaced by the Cross-State Air Pollution Rule (CSAPR). The permit was previously modified to include the references to the applicable requirements of CSAPR.
17.0402 – Acid Rain Permitting Procedures (40 CFR Parts 72 & 76)	Unit 3 IC Turbine, Unit 4 IC Turbine, Unit 5 and Unit 7	A revised acid rain permit application was submitted by DEP in October of 2020 to reflect the removal of Units 1 and 2 from the facility. This updated plan and application was incorporated into Section 4 of the permit.

REGULATORY NOTES

SECTION D DETAILS				
Emission Information				
Calculation Method Codes (List all that apply)	1 = Stack test result 2 = Material (mass) balance 3 = EPA approved information (AP-42, CTG, etc.) 4 = Other (specify in table below)			
Calculation Rejection Codes (List all that apply)	1 = Calculation error 2 = Wrong emission factor(s) used 3 = Control efficiency(ies) not accepted 4 = Other (specify in table below)			
Emission Source (ID No.)	**Calculation Method Code**	**Accept or Reject?**	**Calculation Rejection Code**	**AB Air Quality Calculations Attached?**
Facility-Wide	1, 2, 3	Accept	NA	No

EMISSION NOTES

DEP calculations for the 2024 actual emissions were used for the review.

SECTION E

Supporting Documentation
(Provide brief description of any attachments)

1. Permit Application dated November 13, 2025
2. Notifications to EPA, and surrounding state and local air agencies
3. Public notice
4. Draft permit
5. Draft permit cover letter

Asheville-Buncombe
Air Quality Agency

Memo

To: Air Quality Board

From: James Raiford

CC: Ashley Featherstone

Date: March 19, 2026

Re: Duke Energy Progress, LLC - Comments on Draft Title V Permit

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A notice announcing the opportunity for public comment on the draft Title V Permit for Duke Energy Progress, LLC was published in the Asheville-Citizen Times on February 17, 2026 and placed on the agency website. The 30-day public comment period ends on the date of this memo which is March 19, 2026. No public comments have been received. If public comments are received after the date of this memo, they will be provided to the Board for review.

A copy of the public notice was emailed to affected state and tribal agencies, including NC DAQ, SC DHEC, GA DNR, TN DEC, and the Eastern Band of the Cherokee Nation. No comments were received from these entities.

The draft Title V Permit and components of the application review package were sent to EPA Region 4 for review on February 17, 2026. The EPA completed their review on March 10, 2026 and had no comments.

Asheville-Buncombe Air Quality Agency
APPLICATION REVIEW SUMMARY

SECTION A: FACILITY INFORMATION			
Company Name:	North End Stump & Brush Recycling		
Site Name:	North End Stump & Brush Recycling		
Mailing Address:	19 Shepherds Hollow, Weaverville, NC 28787		
Site Address:	1918 New Stock Road, Weaverville, NC 28787		
General Description of Business:	Wood waste yard		
Facility Classification:	Small	**Site Status:**	New

SECTION B: APPLICATION INFORMATION			
Date Of Application:	January 1, 2026	**Application Tracking No.:**	N/A
Date Complete Application Received:	January 21, 2026	**Board Meeting Date:**	March 12, 2026
Confidentiality Requested?	No	**Board Agenda Type:**	New
Application Results:	The purpose of this review is to issue a small source permit for an air curtain incinerator subject to NSPS EEEE.		
Permit No. / Date Issued by Application:	11-926-28 / March 12, 2026		
Permit No. / Date Voided by Application:	N/A		

SECTION C: REGULATORY INFORMATION	
AB Air Quality Regulations:	4.0524, 4.1904, 17.0500, 17.0311

SECTION D: FACILITY-WIDE EMISSIONS INFORMATION		
Pollutants Reviewed as a Result of this Application or AB Air Quality Action:	**Actual Emissions (TONS/YR) [1]**	**Potential Emissions (TONS/YR) [1]**
PM-Total	--	2.68
PM-10/PM-2.5	--	1.12
SO_2	--	0.25
NO_X	--	3.52
CO	--	5.11
VOC	--	2.15
Greenhouse Gases (GHG), $CO2_e$	--	6,114.3
All Hazardous Air Pollutants (HAPs)	--	0.001
List all HAPs >10TPY of potential emissions	None	

*Emission numbers denoted with an (*) reflect "controlled" emissions (i.e. emissions reduced by a pollution control device). [1]Potential emissions reported to be <100 are capped at those levels with federally enforceable permit limits.

IN COMPLIANCE WITH EMISSION STANDARDS / RECOMMEND APPROVAL			
Prepared By:	James C. Raiford/	**Date Completed:**	2/27/2026
Reviewed By:	Ashley J. Featherstone/	**Date Reviewed:**	3/4/2026
Director:	Ashley J. Featherstone/	**Date Approved:**	3/4/2026

SECTION A DETAILS

FACILITY INFORMATION

[Detailed discussion of any items in Section A]

The North End Stump & Brush Recycling (North End) has applied for a small source permit to operate an air curtain incinerator (ACI) at the address listed above. They receive stumps and brush from customers at their wood waste yard. The facility plans to operate the incinerator to dispose of excess tree waste that is brought to the site by customers that they can't chip or otherwise use. The air curtain incinerator will handle only wood waste/clean lumber/yard waste. No municipal solid waste, treated/painted wood, or prohibited materials. They plan to operate no more than 8 hours per day.

On January 3, 2025 they requested to operate the ACI to dispose of storm debris from Helene. The agency granted permission for this operation in accordance with the disaster declaration and EPA's no action assurance letter. The facility would like to transition to operate the unit to process other wood waste going forward.

Previously, according to Section 129(e) and Title V of the Clean Air Act required the owner or operator of each ACI subject to 40 CFR Part 60 Subpart EEEE to apply for and obtain a Title V operating permit pursuant to 40 CFR 60.2974. However, on April 17, 2024, EPA revised this rule to remove the Title V permitting requirements for ACI units that burn only wood waste, clean lumber, and yard waste. Therefore, the facility will be classified as a small source.

SECTION B DETAILS

APPLICATION INFORMATION

[List all emission sources (permitted and exempt) reviewed as a result of this application, their associated control devices and pollutants. Provide a detailed discussion of any other items in Section B at bottom under "Application Notes"]

Emission Source ID	Emission Source Description 1. Type, manufacturer, capacity 2. Control device with ID (if any)	Pollutant(s) Emitted	Miscellaneous Notes
AC1	AirBurners BurnBoss T24	PM, PM-10, PM-2.5, CO, SO2, NOx, VOC, CO2e	Maximum charge rate of 1 ton per hour. Manufactured in 2024. Powered by a 12.5 Horsepower EPA Tier 4 emission rated diesel-fired engine.

APPLICATION NOTES

The facility emailed Buncombe County Planning Department on January 21, 2026 asking for a zoning consistency determination. The Agency has not received a zoning consistency determination from Buncombe County planning, but fifteen days have elapsed since the email and therefore fulfills the requirement that the zoning authority is notified. Specific Condition 2.E states that the permittee is required to comply with all lawfully adopted local ordinances, and that the local zoning authority is responsible for enforcing those ordinances. The application fee was received on January 27, 2026.

The planning department has indicated that they will require a special use permit for this facility. This is independent of the air permit and as stated above, the permit will include a statement about complying with all zoning and other ordinances.

SECTION C DETAILS

REGULATORY INFORMATION

(Identify the AB Air Quality Regulations reviewed because of this application. At a minimum, the regulations already listed should be reviewed and reason given for applicability or non-applicability. If a regulation has a standard, list the standard and indicate how the source is in compliance.)

AB Air Quality Regulation Number / Title	Emission Source ID No(s). Subject	Notes on Regulation (Compliance demonstration, applicability, etc.)
17.0500 – Title V Procedures	NA	Title V does not apply to this facility at this time. Calculated potential emissions for this facility are below Title V permitting thresholds. Previously, according to Section 129(e) and Title V of the Clean Air Act required the owner or operator of each air curtain incinerator (ACI) subject to 40 CFR Part 60 Subpart EEEE to apply for and obtain a Title V operating permit pursuant to 40 CFR 60.2974. However, on April 17, 2024, EPA revised this rule to remove the Title V permitting requirements for ACI units that burn only wood waste, clean lumber, and yard waste.
4.0524 – New Source Performance Standards	AC1	NSPS does apply to this facility. This facility is subject to 40 CFR Part 60 Subpart EEEE "Standards of Performance for Other Solid Waste Incineration Units". Visible emissions are limited to 10 percent opacity (6-minute average), except 35 percent opacity (6-minute average) during the startup period that is within the first 30 minutes of operation. EPA Method 9 testing for opacity is required initially and annually.
4.1904 – Air Curtain Burners	AC1	Air quality permits are required for air curtain burners subject to 40 CFR Part 60 Subpart CCCC 60.2245 through 60.2260. WNCRAQA Code 4.1904 has several work practice standards that apply, including a setback requirement of 300 feet from the nearest occupied dwelling not located on the property where the burning is conducted.
4.1806 – Control and Prohibition of Odorous Emissions	AC1	The facility must not cause or contribute to objectionable odors beyond the facility's boundary.

REGULATORY NOTES

17.0311 Permitting of Facilities at Multiple Temporary Sites

Since air curtain burners are often built as temporary mobile operations, AB Air Quality Rule 17.0311 states that the Director can issue a single permit for operation at multiple temporary sites under the following conditions.

17.0311 Permitting of Facilities at Multiple Temporary Sites

(a) The Director may issue a single permit authorizing emissions from a facility or source at multiple temporary sites.

(b) Permits for facilities at multiple temporary sites shall include:
(1) identification of each site;
(2) conditions that will assure compliance with all applicable requirements at all approved sites;
(3) a requirement that the permittee notify the Agency at least 10 days in advance of each change of each site; and
(4) conditions that assure compliance with all other provisions of this Section.

A condition will be included in the permit to require that the permittee notify the agency at least 10 days in advance of each change of location and obtain a zoning consistency letter for each location.
North Carolina General Statute § 143-215.108(f) requires that applications for air quality permits for new or expanded facilities include a request for a zoning consistency determination.

4.1904 Air Curtain Burners
Chapter 4.1904(b)(6), (b)(9), and (c) of our current rules list operating and recordkeeping requirements that have been removed from the most recent version of North Carolina's rules for air curtain incinerators (2D.1904) and those requirements were not listed in this permit since the Agency will update those rules this year.

Chapter 4.1904(b)(5) requires dispersion modeling analysis to be performed to protect the ambient air quality standard and prevention of significant deterioration (PSD) increment for particulate. This modeling analysis was performed by James Raiford of this Agency and documented via memorandum on February 27, 2026. This modeling shows compliance with the total solid particulate state standard, and the PM10 and PM2.5 National Ambient Air Quality Standards. The model was conservatively run assuming 24 hours of operation. This facility is limited to operating for only 10 hours a day per Chapter 4.1904(c)(4), so compliance with the standards is expected. See the table below. The modeling demonstration is documented here and not included in the permit.

Pollutant	Averaging Period	Background Concentration ($\mu g/m^3$)	Modeled Impact ($\mu g/m^3$)	Total ($\mu g/m^3$)	AAQS ($\mu g/m^3$)	% AAQS
PM2.5	24-hour	16	4.37	20.37	35	58.20%
	Annual	6.1	0.67	6.77	9	75.22%
PM10	24-hour	12.4	7.65	20.05	150	13.37%
TSP	24-hour	--	14.64	14.64	150	9.76%
	Annual	--	0.88	0.88	75	1.17%

SECTION D DETAILS				
EMISSION INFORMATION				
Calculation Method Codes (List all that apply)	1 = Stack test result 2 = Material (mass) balance 3 = EPA approved information (AP-42, CTG, etc.) 4 = Other (specify in table below)			
Calculation Rejection Codes (List all that apply)	1 = Calculation error 2 = Wrong emission factor(s) used 3 = Control efficiency(ies) not accepted 4 = Other (specify in table below)			
Emission Source (ID No.)	**Calculation Method Code**	**Accept or Reject?**	**Calculation Rejection Code**	**AB Air Quality Calculations Attached?**
AC1	3,4	NA	NA	Yes

EMISSION NOTES

Emissions calculations come from two sources: San Joaquin Valley APCD, and USDA Forest Service. SJV APCD was used for PM, SO_x, NOX, CO and VOC, while Greenhouse Gas emissions were obtained from USDA Forest Service. Emissions were also calculated for the engine using AP-42.

Total emissions included those from the internal combustion engine.

SECTION E

SUPPORTING DOCUMENTATION

(Provide brief description of any attachments)

1. Draft of permit
2. Emissions estimates prepared by agency staff
3. Permit application
4. Zoning consistency email
5. Modeling Memo