

15A NCAC 02D .0604 EXCEPTIONS TO MONITORING AND REPORTING REQUIREMENTS

(a) Unless a specific rule specifies otherwise, the owner or operator of a source shall not be required to monitor during a period of monitoring system malfunction or report emissions during a period of monitoring system malfunction if the owner or operator of the source shows, to the satisfaction of the Director, that the malfunction was unavoidable, is being repaired as expeditiously as practicable, and no applicable requirements are violated. The owner or operator of the source shall provide the Director documentation of continuous monitoring system performance when system repairs or adjustments have been made if the Director requests proof. Malfunctions of the monitoring system that result from inadequate or poor operation and maintenance practices shall not be exempted.

(b) The owner or operator of a source that operates less than 30 days per 12-month period shall not be required to monitor emissions from that source. However, the owner or operator shall maintain records to document that the source is operated less than 30 days per 12-month period.

(c) The owner or operator of a source exempted from needing a permit by 15A NCAC 2Q .0102 shall not be required to monitor emissions from that source unless;

- (1) required by a specific rule of this Subchapter or Subchapter 2Q of this Chapter, or
- (2) required as a part of an enforcement settlement.

However, the owner or operator shall maintain records to document that the source qualifies for the permit exemption.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66;143-215.107(a)(4);
Eff. February 1, 1976;
Amended Eff. April 1, 1999; July 1, 1996; July 1, 1988; July 1, 1984; June 18, 1976.*