

## SUBCHAPTER 02Q - AIR QUALITY PERMITS PROCEDURES

### SECTION .0100 - GENERAL PROVISIONS

#### 15A NCAC 02Q .0101 REQUIRED AIR QUALITY PERMITS

(a) No owner or operator shall do any of the following activities, that is not otherwise exempted, without first applying for and obtaining an air quality permit:

- (1) construct, operate, or modify a source subject to an applicable standard, requirement, or rule that emits any regulated pollutant or one or more of the following:
    - (A) sulfur dioxide,
    - (B) total suspended particulates,
    - (C) particulate matter (PM10),
    - (D) carbon monoxide,
    - (E) nitrogen oxides,
    - (F) volatile organic compounds,
    - (G) lead and lead compounds,
    - (H) fluorides,
    - (I) total reduced sulfur,
    - (J) reduced sulfur compounds,
    - (K) hydrogen sulfide,
    - (L) sulfuric acid mist,
    - (M) asbestos,
    - (N) arsenic and arsenic compounds,
    - (O) beryllium and beryllium compounds,
    - (P) cadmium and cadmium compounds,
    - (Q) chromium(VI) and chromium(VI) compounds,
    - (R) mercury and mercury compounds,
    - (S) hydrogen chloride,
    - (T) vinyl chloride,
    - (U) benzene,
    - (V) ethylene oxide,
    - (W) dioxins and furans,
    - (X) ozone, or
    - (Y) any toxic air pollutant listed in 15A NCAC 02D .1104; or
  - (2) construct, operate, or modify a facility that has the potential to emit at least 10 tons per year of any hazardous air pollutant or 25 tons per year of all hazardous air pollutants combined or that are subject to requirements established under the following sections of the federal Clean Air Act:
    - (A) Section 112(d), emissions standards;
    - (B) Section 112(f), standards to protect public health and the environment;
    - (C) Section 112(g), construction and reconstruction;
    - (D) Section 112(h), work practice standards and other requirements;
    - (E) Section 112(i)(5), early reduction;
    - (F) Section 112(j), federal failure to promulgate standards;
    - (G) Section 112(r), accidental releases.
- (b) There are two types of air quality permits:
- (1) Stationary Source Construction and Operation Permit: With the exception allowed by G.S. 143-215.108A, the owner or operator of a new, modified, or existing facility or source shall not begin construction or operation without first obtaining a construction and operation permit in accordance with the standard procedures under Section .0300 of this Subchapter. Title V facilities are subject to the Title V procedures under Section .0500 of this Subchapter including the acid rain procedures under Section .0400 of this Subchapter. A facility may also be subject to the air toxic procedures under 15A NCAC 02Q .0700.
  - (2) Transportation Facility Construction Permit. The owner or operator of a transportation facility subject to the requirements of 15A NCAC 02D .0800 shall obtain a construction only permit following the procedures under Section .0600 of this Subchapter.

(c) Fees shall be paid in accordance with the requirements of Section .0200 of this Subchapter.

*History Note:* Authority G.S. 143-215.3(a)(1); 143-215.108; 143-215.109;  
Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
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