

15A NCAC 02Q .0504 OPTION FOR OBTAINING CONSTRUCTION AND OPERATION PERMIT

(a) Pursuant to Rule .0501(c) or (d)(2) of this Section, the owner or operator of a new or modified facility subject to the requirements of this Section that chooses to obtain a construction and operation permit before the facility must obtain a permit under this Section may file an application under Section .0300 of this Subchapter.

(b) The applicant shall state in his permit application that he wishes to follow the procedures under this Rule.

(c) If the option allowed under Rule .0501(c)(1) of this Section is used, then the application processing procedures for prevention of significant deterioration under 15A NCAC 2D .0530 and new source review for nonattainment areas under 15A NCAC 2D .0531 do not apply. If the option allowed under Rule .0501(c)(2) of this Section is used, then the application processing procedures in this Section and:

(1) under 15A NCAC 2D .0530 for prevention of significant deterioration, or

(2) under 15A NCAC 2D .0531 for new source review for nonattainment areas,

shall apply.

(d) If the procedures under Section .0300 of this Subchapter are followed, the permittee shall have one year from the date of beginning operation of the facility or source to file an amended application following the procedures of this Section. The Director shall place a condition in the construction and operation permit stating this requirement.

History Note: Filed as a Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108;
Eff. July 1, 1994.