

SECTION .0800 - EXCLUSIONARY RULES

15A NCAC 02Q .0801 PURPOSE AND SCOPE

(a) The purpose of this Section is to define categories of facilities that are exempted from needing a permit under Section .0500, Title V Procedures, of this Subchapter or the applicability of 15A NCAC 2D .1111 or 40 CFR Part 63 by defining their potential emissions to be less than:

- (1) 100 tons per year of each regulated air pollutant;
- (2) 10 tons per year of each hazardous air pollutant; and
- (3) 25 tons per year of all hazardous air pollutants combined;

as determined by criteria set out in each individual source category rule. [A particular maximum achievable control technology (MACT) standard promulgated under 40 CFR Part 63 may have a lower applicability threshold than those contained in this Paragraph. The threshold contained in that MACT standard shall be used to determine the applicability of that MACT standard]. Potential emissions of hazardous air pollutants limited through the procedures of this Section may be used to determine the applicability of specific requirements of 40 CFR Part 63 to a facility.

(b) Coverage under the rules of this Section is voluntary. The owner or operator of a facility or source qualified to be covered under a rule in this Section that does not want to be covered under that rule shall notify the Director in writing that he does not want his facility covered under this Section, and the Section shall no longer apply to that facility or source.

(c) A source cannot rely on emission limits or caps contained in this Section to justify violation of any rate-based emission limits or other applicable requirements.

(d) Although a facility is exempted, by complying with this Section, from the permitting procedures contained in Section .0500, Title V Procedures, of this Subchapter, or the applicability of 15A NCAC 2D .1111 or 40 CFR Part 63, it may still need a permit under Section .0300, Construction and Operation Permit, of this Subchapter unless it is exempted from needing a permit by Rule .0102 of this Subchapter.

(e) Except for gasoline service stations and dispensing facilities and dry cleaning facilities, any facility or source not required to have a permit under this Subchapter shall not be required to maintain records and report emissions as required under this Section.

History Note: Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;
Eff. August 1, 1995;
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