

**15A NCAC 02Q .0401 PURPOSE AND APPLICABILITY**

- (a) The purpose of this Rule is to implement Phase II of the federal acid rain program pursuant to the requirements of Title IV of the Clean Air Act as provided in 40 C.F.R Parts 72 and 76.
- (b) This Section applies to the sources described in 40 C.F.R 72.6 with such exceptions as allowed under 40 C.F.R 72.6.
- (c) A certifying official of any unit may petition the Administrator for a determination of applicability under 40 C.F.R 72.6(c). The Administrator's determination of applicability shall be binding upon the Division, except as allowed under 40 C.F.R 72.6(c).

*History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner;*  
*Authority G.S. 143-215.3(a)(1); 143-215.107(a)(8); 143-215.108;*  
*Eff. July 1, 1994;*  
*Amended Eff. April 1, 2001; April 1, 1999; April 1, 1996.*

**15A NCAC 02Q .0402 ACID RAIN PERMITTING PROCEDURES**

(a) For the purpose of this Rule the definitions contained in 40 CFR 72.2 and 76.2 and the measurements, abbreviations, and acronyms contained in 40 CFR 72.3 shall apply.

(b) Affected units as defined in 40 CFR 72.6, 76.1, or Paragraph (b)(1) of Rule .0401 of this Section shall comply with the permit, monitoring, sulfur dioxide, nitrogen oxides, excess emissions, recordkeeping and reporting, liability, and any other provisions as required in 40 CFR Part 72 and 76. The term "permitting authority" shall mean Division of Environmental Management, and the term "Administrator" shall mean the Administrator of the United States Environmental Protection Agency.

(c) If the provisions or requirements of 40 CFR Part 72 or 76 conflict with or are not included in Section .0500 of this Subchapter, then Part 72 or 76 provisions and requirements shall apply and take precedence.

*History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner;  
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<b>15A NCAC 02Q .0403</b>	<b>NEW UNITS EXEMPTION</b>
<b>15A NCAC 02Q .0404</b>	<b>RETIRED UNITS EXEMPTION</b>
<b>15A NCAC 02Q .0405</b>	<b>REQUIREMENT TO APPLY</b>
<b>15A NCAC 02Q .0406</b>	<b>REQUIREMENTS FOR PERMIT APPLICATIONS</b>
<b>15A NCAC 02Q .0407</b>	<b>PERMIT APPLICATION SHIELD AND BINDING EFFECT OF PERMIT APPLICATION</b>
<b>15A NCAC 02Q .0408</b>	<b>COMPLIANCE PLANS</b>
<b>15A NCAC 02Q .0409</b>	<b>PHASE II REPOWERING EXTENSIONS</b>
<b>15A NCAC 02Q .0410</b>	<b>PERMIT CONTENTS</b>
<b>15A NCAC 02Q .0411</b>	<b>STANDARD REQUIREMENTS</b>
<b>15A NCAC 02Q .0412</b>	<b>PERMIT SHIELD</b>

**15A NCAC 02Q .0413 PERMIT REVISIONS GENERALLY**  
**15A NCAC 02Q .0414 PERMIT MODIFICATIONS**  
**15A NCAC 02Q .0415 FAST-TRACK MODIFICATIONS**  
**15A NCAC 02Q .0416 ADMINISTRATIVE PERMIT AMENDMENT**  
**15A NCAC 02Q .0417 AUTOMATIC PERMIT AMENDMENT**  
**15A NCAC 02Q .0418 PERMIT REOPENINGS**

*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); 143-215.65; 143-215.66; 143-215.107(a)(8); 143-215.108;*  
*Eff. July 1, 1994;*  
*Repealed Eff. April 1, 1996.*