

SECTION .0900 – PERMIT EXEMPTIONS

15A NCAC 02Q .0901 PURPOSE AND SCOPE

- (a) The purpose of this Section is to define categories of facilities or sources that are exempt from the requirements of 15A NCAC 02Q .0300.
- (b) Sources at a facility required to have a permit pursuant to 15A NCAC 02Q .0500 shall not be eligible for exemption pursuant to this Section.
- (c) This Section shall not apply to activities exempted from permitting pursuant to 15A NCAC 02Q .0102.
- (d) The owner or operator of a facility or source qualified to be governed pursuant to a rule in this Section who chooses not to be governed by that rule shall notify the Director in writing that he or she does not want the facility or source governed by this Section. Along with the notification, the owner or operator shall submit a permit application that meets the requirements of 15A NCAC 02Q .0300 and the Director shall act on that application pursuant to 15A NCAC 02Q .0300.
- (e) To qualify for exemption pursuant to this Section, the facility or source shall comply with all the requirements in the applicable rule in this Section.
- (f) If a facility or source covered in this Section is in violation of the requirements of this Section, the Director shall require that facility or source to be permitted pursuant to 15A NCAC 02Q .0300 if necessary to obtain or maintain compliance with the requirements in Subchapters 02D and 02Q of this Chapter.

History Note: Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;
Eff. January 1, 2005;
Readopted Eff. April 1, 2018.

15A NCAC 02Q .0902 TEMPORARY CRUSHERS

- (a) For the purposes of this Rule, "temporary crusher" means a crusher that will not be operated at any one facility or site for more than 12 months.
- (b) This Rule applies to any temporary crusher that:
- (1) crushes no more than 300,000 tons at any one facility or site;
 - (2) does not operate at a quarry that has an air permit issued pursuant to this Subchapter;
 - (3) continuously uses water spray to control emissions from the crusher; and
 - (4) does not operate at a facility that is required to have a mining permit issued by the Division of Energy, Mineral, and Land Resources.
- (c) The owner or operator of a temporary crusher and all associated equipment shall comply with all applicable rules of Subchapter 02D, including Rules .0510 (Particulates From Sand, Gravel, Or Crushed Stone Operations), .0521 (Control Of Visible Emissions), .0524 (New Source Performance Standards, 40 CFR Part 60, Subparts OOO), .0535 (Excess Emissions Reporting And Malfunctions), .0540 (Particulates From Fugitive Non-Process Dust), and .1806 (Control and Prohibition of Odorous Emissions).
- (d) The owner or operator of a temporary crusher shall not cause or allow any material to be produced, handled, transported, and stockpiled so that the ambient air quality standards for particulate matter (PM2.5, PM10, and total suspended particulates) are not exceeded beyond the property line.
- (e) The owner or operator of a temporary crusher shall maintain records of the amount of material crushed by each temporary crusher.
- (f) The owner or operator of a temporary crusher shall label each crusher, hopper, feeder, screen, conveyor, elevator, and generator with a permanent and unique identification number.
- (g) If a source is governed by 15A NCAC 02D .0524 (40 CFR Part 60, Subpart OOO), the owner or operator of a temporary crusher shall submit to the Director notifications and test reports required pursuant to 15A NCAC 02D .0524 (40 CFR Part 60, Subpart OOO).
- (h) If the Director or his or her authorized representative requests copies of notifications or testing records required pursuant to 15A NCAC 02D .0524 (40 CFR Part 60, Subpart OOO), the owner or operator of a temporary crusher shall submit the requested notifications or testing records within two business days of such a request.
- (i) If the owner or operator of a crusher plans to operate a crusher at a facility or site for more than twelve months, the owner or operator shall apply for and shall have received an air quality permit issued pursuant to this Subchapter before beginning operations.

History Note: *Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;*
Eff. January 1, 2005;
Amended Eff. August 1, 2012 (see S.L. 2012-143, s.1(f)); January 1, 2009;
Readopted Eff. April 1, 2018.

**15A NCAC 02Q .0903 EMERGENCY GENERATORS AND STATIONARY RECIPROCATING
INTERNAL COMBUSTION ENGINES**

(a) For the purposes of this Rule, the following definitions shall apply:

- (1) "Emergency generator" means an emergency stationary reciprocating internal combustion engine, as defined in 40 CFR 63.6675.
- (2) "Stationary reciprocating internal combustion engine" shall be defined as set forth in 40 CFR 63.6675.

(b) This Rule shall apply to emergency generators and stationary reciprocating internal combustion engines at a facility whose only sources that would require a permit are emergency generators and stationary reciprocating internal combustion engines whose facility-wide actual emissions are less than 100 tons per calendar year of any regulated pollutant, 10 tons per calendar year of any hazardous air pollutant, or 25 tons per calendar year of any combination of hazardous air pollutants.

(c) The owner or operator of emergency generators and stationary reciprocating internal combustion engines regulated pursuant to this Rule shall comply with 15A NCAC 02D .0516, .0521, .0524, and .1111.

(d) The owner or operator of emergency generators and stationary reciprocating internal combustion engines regulated pursuant to this Rule shall provide the Director with documentation, upon request, that the emergency generators and stationary reciprocating internal combustion engines meet the applicability requirements set forth in Paragraph (b) of this Rule.

*History Note: Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;
Eff. June 1, 2008;
Amended Eff. June 13, 2016;
Readopted Eff. April 1, 2018.*