

## 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, unless 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; or
  - (G) Section 112(r), accidental releases.

(b) 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 pursuant to 15A NCAC 02Q .0300. Title V facilities shall be subject to the Title V procedures pursuant to 15A NCAC 02Q .0500 including the acid rain procedures pursuant to 15A NCAC 02Q .0400. A facility may also be subject to the air toxic procedures pursuant to 15A NCAC 02Q .0700.

(c) Fees shall be paid in accordance with the requirements of 15A NCAC 02Q .0200.

*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;  
Eff. July 1, 1994;  
Amended Eff. January 1, 2015; December 1, 2005; July 1, 1998;*

*Readopted Eff. April 1, 2018.*