

## SECTION .0400 – ACID RAIN PROCEDURES

### 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 CFR Parts 72 and 76.
- (b) This Section shall apply to the sources described in 40 CFR 72.6 with such exceptions as allowed pursuant to 40 CFR 72.6.
- (c) A certifying official of any unit may petition the Administrator for a determination of applicability under 40 CFR 72.6(c). The Administrator's determination of applicability shall be binding upon the Division, except as allowed under 40 CFR 72.6(c).

*History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(8); 143-215.108;  
Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner;  
Eff. July 1, 1994;  
Amended Eff. April 1, 2001; April 1, 1999; April 1, 1996;  
Readopted Eff. April 1, 2018.