

15A NCAC 02Q .0706 MODIFICATIONS

(a) The owner or operator shall comply with Paragraphs (b) and (c) of this Rule for a modification that is subject to a Rule in 15A NCAC 02D other than a Rule in 15A NCAC 02D .1100 and that:

- (1) requires a permit pursuant to 15A NCAC 02Q .0300 or .0500; or
- (2) occurs at a facility with a permit pursuant to 15A NCAC 02Q .0500 and emits a pollutant that is part of the facility's previous modeling demonstration conducted pursuant to 15A NCAC 02D .1104 and 15A NCAC 02Q .0709, if that modification is not exempted pursuant to 15A NCAC 02Q .0702.

This Rule shall not apply to facilities whose emissions of toxic air pollutants result only from insignificant activities, as defined in 15A NCAC 02Q .0103(20), or result only from sources exempted pursuant to 15A NCAC 02Q .0102.

(b) The owner or operator of the facility shall submit a permit application that complies with 15A NCAC 02D .1100 if the modification results in:

- (1) a net increase in emissions or ambient concentration as previously determined pursuant to 15A NCAC 02D .1106 and 15A NCAC 02Q .0709 of any toxic air pollutant that the facility was emitting before the modification; or
- (2) emissions of any toxic air pollutant that the facility was not emitting before the modification if such emissions exceed the levels set forth in 15A NCAC 02Q .0711.

(c) The permit application filed pursuant to this Rule shall include an evaluation for all toxic air pollutants identified pursuant to Paragraph (b) of this Rule.

(d) All sources at the facility, excluding sources exempt pursuant to 15A NCAC 02Q .0702, emitting these toxic air pollutants shall be included in the evaluation of toxic air pollutants required by Paragraph (c) of this Rule. Sources meeting the exemption set forth in 15A NCAC 02Q .0702(a)(27) shall be reviewed by the Division pursuant to G.S. 143-215.107(a)(5)b.

(e) If a source is included in an air toxic evaluation pursuant to Paragraph (c) of this Rule but is not the source that is being added or modified at the facility, and if the emissions from this source must be reduced in order for the facility to comply with the rules in this Section and 15A NCAC 02D .1100, the emissions from this source shall be reduced by the time the new or modified source begins operating such that the facility shall be in compliance with the rules of this Section and 15A NCAC 02D .1100.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107; 143-215.108; 143B-282;
Rule originally codified as part of 15A NCAC 2H .0610;
Eff. July 1, 1998;
Amended Eff. May 1, 2014; July 10, 2010; December 1, 2005; April 1, 2005;
Readopted Eff. July 1, 2018;
Amended Eff. November 1, 2023.*