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 exempted from needing a permit under Section .0300 of this Subchapter.

(b) Sources at a facility required to have a permit under Section .0500 of this Subchapter shall not be eligible for exemption under this Section.

(c) This Section does not apply to activities exempted from permitting under Rule .0102 of this Section.

(d) Coverage under this Section is voluntary. If the owner or operator of a facility or source qualified to be covered under a rule in this Section does not want to be covered under that rule, he shall notify the Director in writing that he does not want his facility or source covered under this Section. Along with the notification, he shall submit a permit application according the procedures in Section .0300 of this Section, and the Director shall act on that application following the procedures in Section .0300 of this Subchapter.

(e) To quality for exemption under this Section, the facility or source shall comply with all the requirements in the applicable rule in this Section.

(f) If the Director finds that a facility or source covered under this Section is in violation of the requirements of this Section, he shall require that facility or source to be permitted under Section .0300 of this Subchapter if necessary to obtain or maintain compliance.

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

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) burns no more than 17,000 gallons of diesel fuel at any one facility or site if it uses:
  - (A) a diesel-fired generator, or
  - (B) a diesel engine to drive the crusher;
- (3) does not operate at a quarry that has an air permit issued under this Subchapter;
- (4) continuously uses water spray to control emissions from the crusher; and
- (5) does not operate at a facility that is required to have a mining permit issued by the Division of Land Resources.

(c) The owner or operator of a temporary crusher and any associated generators shall comply with rules of Subchapter 02D .0510 (Particulates From Sand, Gravel, Or Crushed Stone Operations), .0516 (Sulfur Dioxide Emissions From Combustion Sources), .0521 (Control Of Visible Emissions), .0524 (New Source Performance Standards, 40 CFR Part 60, Subparts OOO and IIII),.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, or stockpiled so that the ambient air quality standards for particulate matter (PM2.5, PM10, and total suspended particulate) 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 and the quantity of fuel burned in the diesel-fired generator or engine so that the Division can determine upon review of these records that the crusher qualifies to be covered under this Rule.

(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 covered under 15A NCAC 02D .0524 (40 CFR Part 60, Subpart OOO), the owner or operator of a temporary crusher shall submit to the Director notifications required under 15A NCAC 02D .0524 (40 CFR Part 60, Subpart OOO).

(h) If the Director or his authorized representative requests copies of notifications or testing records required under 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 a source is covered under 15A NCAC 02D .0524 (40 CFR Part 60, Subpart IIII), the owner or operator of a compression ignition internal combustion engine (CI ICE) for a temporary crusher shall submit to the Director notifications required under 15A NCAC 02D .0524 (40 CFR Part 60, Subpart IIII).

(j) If the Director or his authorized representative requests copies of notifications or testing records required under 15A NCAC 02D .0524 (40 CFR Part 60, Subpart IIII), the owner or operator of a compression ignition internal combustion engine (CI ICE) for temporary crusher shall submit the requested notifications or testing records within two business days of such a request.

(k) If the owner or operator of a crusher plans or has the design potential to operate a crusher at a facility or site for more than twelve months, he shall apply for and shall have received an air quality permit issued under 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. January 1, 2009.

15A NCAC 02Q .0903 EMERGENCY GENERATORS

(a) For the purposes of this Rule, "emergency generator" means a stationary internal combustion engine used to generate electricity only during the loss of primary power at the facility that is beyond the control of the owner or operator of the facility or during maintenance. An emergency generator may be operated periodically to ensure that it will operate.

(b) This Rule applies to emergency generators at a facility whose only sources that would require a permit are emergency generators and whose emergency generators consume less than:

(1) 322,000 gallons per calendar year of diesel fuel,

(2) 48,000,000 cubic feet per calendar year of natural gas,

(3) 1,200,000 gallons per calendar year of liquified petroleum gas,

(4) 25,000 gallons per calendar year of gasoline for gasoline-powered generators, or

(5) any combination of the fuels listed in this Paragraph provided the facility-wide actual emissions of each regulated air pollutant does not exceed 100 tons per calendar year.

(c) The owner or operator of emergency generators covered under this Rule shall comply with .0516 (sulfur dioxide emissions from combustion sources), .0521 (control of visible emissions), and .0524 (new source performance standard).

(d) The owner or operator of an emergency generator covered under this Rule shall maintain records of the amount of fuel burned in the generator for each calendar year so that the Division can determine upon review of these records that the emergency generator qualifies to be covered under this Rule.

History Note: *Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;*
Eff. June 1, 2008.