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ARTICLE 1.0000 PERMITTING PROVISIONS FOR AIR POLLUTION SOURCES, RULES AND OPERATING REGULATIONS FOR ACID RAIN SOURCES, TITLE V AND TOXIC AIR POLLUTANTS

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SECTION 1.5400 ACID RAIN PROCEDURES

1.5401 PURPOSE AND APPLICABILITY

(a) The purpose of this Regulation 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 under 40 CFR 72.6.

(c) A certifying official of any unit may petition the EPA Administrator for a determination of applicability pursuant to 40 CFR 72.6(c). The Administrator's determination of applicability shall be binding upon the Department, except as allowed under 40 CFR 72.6(c).

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

MCAQ History Note: Amended Eff. December 18, 2018

1.5402 ACID RAIN PERMITTING PROCEDURES

(a) For the purpose of this Regulation the definitions contained in 40 CFR 72.2 and 76.2 and the measurements, abbreviations, and acronyms contained in 40 CFR 72.3 shall apply.

(b) Affected units as defined in 40 CFR 72.6, 76.1, or Subparagraph (b)(1) of MCAPCO Regulation 1.5401 - "Purpose and Applicability" shall comply with the permit, monitoring, sulfur dioxide, nitrogen oxides, excess emissions, recordkeeping and reporting, liability, and any other provisions as required in 40 CFR Parts 72 and 76. The term "permitting authority" shall mean MCAQ, and the term "Administrator" shall mean the Administrator of the United States Environmental Protection Agency.

(c) If the provisions or requirements of 40 CFR Part 72 or 76 conflict with or are not included in MCAPCO Section 1.5500 - "Title V Procedures", then Part 72 or 76 provisions and requirements shall apply and take precedence.

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

1.5403 NEW UNITS EXEMPTION (REPEALED)

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

1.5404 RETIRED UNITS EXEMPTION (REPEALED)

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

1.5405 REQUIREMENT TO APPLY (REPEALED)

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

1.5406 REQUIREMENTS FOR PERMIT APPLICATIONS (REPEALED)

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

1.5407 PERMIT APPLICATION SHIELD AND BINDING EFFECT OF PERMIT APPLICATION (REPEALED)

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

1.5408 COMPLIANCE PLANS (REPEALED)

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

1.5409 PHASE II REPOWERING EXTENSIONS (REPEALED)

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

1.5410 PERMIT CONTENTS (REPEALED)

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

1.5411 STANDARD REQUIREMENTS (REPEALED)

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

1.5412 PERMIT SHIELD (REPEALED)

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

1.5413 PERMIT REVISIONS GENERALLY (REPEALED)

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

1.5414 PERMIT MODIFICATIONS (REPEALED)

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

1.5415 FAST-TRACK MODIFICATIONS (REPEALED)

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

1.5416 ADMINISTRATIVE PERMIT AMENDMENTS (REPEALED)

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

1.5417 AUTOMATIC PERMIT AMENDMENT (REPEALED)

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

1.5418 PERMIT REOPENINGS (REPEALED)

History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner;

Authority G.S. 143-215.3(a)(1);

143-215.107(a)(8); 143-215.108;

Eff. July 1, 1994;

Repealed Eff. April 1, 1996