

1 15A NCAC 02Q .0206 is amended as published in 29:20 NCR 2340 as follows:

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3 15A NCAC 02Q .0206 PAYMENT OF FEES

4 (a) Payment of fees required under this Section may be by check or money order made payable to the N.C. Department of
5 ~~Environment, Health~~ Environment and Natural Resources. Annual permit fee payments shall refer to the permit number.

6 (b) If, within 30 days after being billed, the permit holder fails to pay an annual fee required under this Section, the Director
7 may initiate action to terminate the permit under Rule .0309 or .0519 of this Subchapter, as appropriate.

8 (c) A holder of multiple permits may arrange to consolidate the payment of annual fees into one annual payment.

9 ~~(d) The permit holder shall submit a written description of current and projected plans to reduce the emissions of air
10 contaminants by source reduction and recycling in accordance with G.S. 143-215.108(g) along with the annual permit fee
11 payment. The description shall include a summary of activities related to source reduction and recycling and a quantification
12 of air emissions reduced and material recycled during the previous year and a summary of plans for further source reduction
13 and recycling.~~

14 ~~(d)~~ (d) The payment of the permit application fee required by this Section shall accompany the application and is
15 non-refundable.

16 ~~(e)~~ (e) The Division shall annually prepare and make publicly available an accounting showing aggregate fee payments
17 collected under this Section from facilities which have obtained or will obtain permits under Section .0500 of this Subchapter
18 except synthetic minor facilities and showing a summary of reasonable direct and indirect expenditures required to develop
19 and administer the Title V permit program.

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

23 *Authority G.S. 143-215.3(a)(1),(1a),(1b),(1d); ~~143-215.108; 150B-21.6;~~*

24 *Eff. July 1, ~~1994,1994;~~*

25 *Amended Eff. September 1, 2015.*

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1 **15A NCAC 02Q .0507 is amended as published in 29:20 NCR 2342-2343 as follows:**

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3 **15A NCAC 02Q .0507 APPLICATION**

4 (a) Except for:

- 5 (1) minor permit modifications covered under Rule .0515 of this Section,
- 6 (2) significant modifications covered under Rule .0516(c) of this Section, or
- 7 (3) permit applications submitted under Rule .0506 of this Section,

8 the owner or operator of a source shall have one year from the date of beginning of operation of the source to file a
9 complete application for a permit or permit revision. However, the owner or operator of the source shall not begin
10 construction or operation until he has obtained a construction and operation permit pursuant to Rule .0501(c) or (d)
11 and Rule .0504 of this Section.

12 (b) The application shall include all the information described in 40 CFR 70.3(d) and 70.5(c), including a list of
13 insignificant activities because of size or production rate; but not including insignificant activities because of
14 category. The application form shall be certified by a responsible official for truth, accuracy, and completeness. In
15 the application submitted pursuant to this Rule, the applicant may attach copies of applications submitted pursuant to
16 Section .0400 of this Subchapter or 15A NCAC 02D .0530 or .0531, provided the information in those applications
17 contains information required in this Section and is current, valid, and complete.

18 (c) Application for a permit, permit revision, or permit renewal shall be made in accordance with Rule .0104 of this
19 Subchapter on forms of the Division and shall include plans and specifications giving all necessary data and
20 information as required by this Rule. Whenever the information provided on these forms does not describe the
21 source or its air pollution abatement equipment to the extent necessary to evaluate the application, the Director may
22 request that the applicant provide any other information that the Director considers necessary to evaluate the source
23 and its air pollution abatement equipment.

24 (d) Along with filing a complete application form, the applicant shall also file the following:

- 25 (1) for a new facility or an expansion of existing facility, a consistency determination in accordance
26 with G.S. 143-215.108(f) that:
 - 27 (A) bears the date of receipt entered by the clerk of the local government, or
 - 28 (B) consists of a letter from the local government indicating that all zoning or subdivision
29 ordinances are met by the facility;
- 30 (2) for a new facility or an expansion of an existing facility in an area without zoning, an affidavit and
31 proof of publication of a legal notice as required under Rule .0113 of this Subchapter; and
- 32 ~~(3) for a new facility or modification of an existing facility, a written description of current and
33 projected plans to reduce the emissions of air contaminants by source reduction and recycling in
34 accordance with G.S. 143-215.108(g); the description shall include:~~
 - 35 ~~(A) for an existing facility, a summary of activities related to source reduction and recycling
36 and a quantification of air emissions reduced and material recycled during the previous
37 year and a summary of plans for further source reduction and recycling; or~~

1 ~~(B) — for a new facility, a summary of activities related to and plans for source reduction and~~
2 ~~recycling; and~~

3 (4) (3) if required by the Director, information showing that:

4 (A) ~~The the~~ applicant is financially qualified to carry out the permitted activities, or

5 (B) ~~The the~~ applicant has substantially complied with the air quality and emissions standards
6 applicable to any activity in which the applicant has previously been engaged, and has
7 been in substantial compliance with federal and state environmental laws and rules.

8 (e) The applicant shall submit copies of the application package as follows:

9 (1) for sources subject to the requirements of 15A NCAC 02D .0530, .0531, or .1200, six copies plus
10 one additional copy for each affected state that the Director has to ~~notify; notify pursuant to Rules~~
11 .0521 and .0522 of this Section;

12 (2) for sources not subject to the requirements of 15A NCAC 02D .0530, .0531, or .1200, four copies
13 plus one additional copy for each affected state that the Director has to ~~notify; notify pursuant to~~
14 Rules .0521 and .0522 of this Section.

15 The Director may at any time during the application process request additional copies of the complete application
16 package from the applicant.

17 (f) Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit
18 application shall, upon becoming aware of such failure or incorrect submittal, submit, as soon as possible, such
19 supplementary facts or corrected information. In addition, an applicant shall provide additional information as
20 necessary to address any requirements that become applicable to the source after the date he filed a complete
21 application but prior to release of a draft permit.

22 (g) The applicant shall submit the same number of copies of additional information as required for the application
23 package.

24 (h) The submittal of a complete permit application shall not affect the requirement that any facility have a
25 preconstruction permit under 15A NCAC 02D .0530, .0531, or .0532 or under Section .0400 of this Subchapter.

26 (i) The Director shall give priority to permit applications containing early reduction demonstrations under Section
27 112(i)(5) of the federal Clean Air Act. The Director shall take final action on such permit applications as soon as
28 practicable after receipt of the complete permit application.

29 (j) With the exceptions specified in Rule .0203(i) of this Subchapter, a non-refundable permit application processing
30 fee shall accompany each application. The permit application processing fees are defined in Section .0200 of this
31 Subchapter. Each permit or renewal application is incomplete until the permit application processing fee is received.

32 (k) The applicant shall retain for the duration of the permit term one complete copy of the application package and
33 any information submitted in support of the application package.

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35 *History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108;
36 Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule
37 becomes effective, whichever is sooner;

- 1 *Eff. July 1, 1994;*
- 2 *Amended Eff. July 1, 1997; July 1, 1996; February 1, 1995;*
- 3 *Temporary Amendment Eff. December 1, 1999;*
- 4 *Amended Eff. September 1, 2015; April 1, 2004; July 1, 2000.*