

SUBCHAPTER 02Q AIR QUALITY PERMITS
SECTION .0900 PERMIT EXEMPTIONS

.0901 PURPOSE AND SCOPE

- (a) The purpose of this Section is to define categories of facilities or sources that are exempt from the requirements of 15A NCAC 02Q .0300.
- (b) Sources at a facility required to have a permit pursuant to 15A NCAC 02Q .0500 shall not be eligible for exemption pursuant to this Section.
- (c) This Section shall not apply to activities exempted from permitting pursuant to 15A NCAC 02Q .0102.
- (d) The owner or operator of a facility or source qualified to be governed pursuant to a rule in this Section who chooses not to be governed by that rule shall notify the Director in writing that he or she does not want the facility or source governed by this Section. Along with the notification, the owner or operator shall submit a permit application that meets the requirements of 15A NCAC 02Q .0300 and the Director shall act on that application pursuant to 15A NCAC 02Q .0300.
- (e) To qualify for exemption pursuant to this Section, the facility or source shall comply with all the requirements in the applicable rule in this Section.
- (f) If a facility or source covered in this Section is in violation of the requirements of this Section, the Director shall require that facility or source to be permitted pursuant to 15A NCAC 02Q .0300 if necessary to obtain or maintain compliance with the requirements in Subchapters 02D and 02Q of this Chapter.

*History Note: Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;
Eff. January 1, 2005;
Readopted Eff. April 1, 2018.*

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Original Reg.	Dec 14, 2004	Sep 29, 2017	82 FR 45473
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.0902 TEMPORARY CRUSHERS

(a) For the purposes of this Rule, “temporary crusher” means a crusher that shall not be operated at any one facility or site for more than 12 months.

(b) This rule applies to any temporary crushers that:

- (1) crushes no more than 300,000 tons at any one facility or site;
- (2) does not operate at a quarry that has an air permit issued pursuant to this Subchapter;
- (3) continuously uses water spray to control emissions from the crushers; and
- (4) 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 all associated equipment shall comply with all applicable rules of Subchapter 02D, including Rules .0510 (Particulates From Sand, Gravel, or Crushed Stone Operations), .0521 (Control of Visible Emissions), .0524 (New Source Performance Standards, 40 CFR Part 60, Subparts OOO), .0535 (Excess Emissions Reporting and Malfunctions), .0540 (Particulates From Fugitive Non-Process Dust), and .1806 (Control and Prohibition of Odorous Emissions).

(c) The owner or operator of a portable crusher shall not cause or allow any material to be produced, handled, transported, or stockpiled without taking measures to reduce to a minimum any particulate matter from becoming airborne to prevent exceeding the ambient air quality standards beyond the property line for particulate matter (PM_{2.5}, PM₁₀, and total suspended particulates).

(e) The owner or operator of a temporary crusher shall maintain records of the amount of material crushed by each temporary crusher .

(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 governed by 15A NCAC 20 .0524 (40 CFR Part 60, Subpart OOO), the owner or operator of a temporary crusher shall submit to the Director notifications and test reports are required pursuant to 15A NCAC 20 .0524 (40 CFR Part 60, Subpart OOO).

(h) If the Director or his or her authorized representative requests copies of notifications or testing records required pursuant to 15A NCAC 20 .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 the owner or operator of a crusher plans to operate a crusher at a facility or site for more than twelve months, the owner or operator shall apply for and shall have received an air quality permit issued pursuant to 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. August 1, 2012 (see S.L. 2012-143, s.1(f)); January 1, 2009;
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