

CHAPTER 3

FORSYTH COUNTY AIR QUALITY CONTROL¹

SUBCHAPTER 3D - AIR POLLUTION CONTROL REQUIREMENTS

SECTION .0100 - DEFINITIONS AND REFERENCES

Section .0101 Definitions

The definition of any word or phrase used in Rules of this Subchapter is the same as given in Article 21, Chapter 143 of the General Statutes of North Carolina, as amended. The following words and phrases, which are not defined in the article, have the following meaning:

- (1) "Act" means "The North Carolina Water and Air Resources Act."
- (2) "Air pollutant" means an air pollution agent or combination of such agents, including any physical, chemical, biological, radiative substance or matter emitted into or otherwise enters the ambient air.
- (3) "Ambient air" means that portion of the atmosphere outside buildings or other enclosed structures, stacks or ducts, and that surrounds human, animal or plant life, or property.
- (4) "Approved" means approved by the Director of the Forsyth County Environmental Affairs Department.
- (5) "Capture system" means the equipment (including hoods, ducts, fans, etc.) used to contain, capture, or transport a pollutant to a control device.
- (6) "CFR" means "Code of Federal Regulations."
- (7) "Combustible material" means any substance that, when ignited, will burn in air.
- (8) "Construction" means change in method of operation or any physical change, including on-site fabrication, erection, installation, replacement, demolition, or modification of a source, that results in a change in emissions or affects the compliance status.
- (9) "Control device" means equipment (fume incinerator, adsorber, absorber, scrubber, filter media, cyclone, electrostatic precipitator, or the like) used to destroy or remove air pollutant(s) before discharge to the ambient air.
- (10) "Day" means a 24-hour period beginning at midnight.
- (11) "Director" means the Director of the Forsyth County Environmental Affairs Department unless otherwise specified.
- (12) "Department" means Forsyth County Environmental Affairs Department.
- (13) "Dustfall" means particulate matter which settles out of the air and is

¹**Cross references**--Buildings and building regulations, Ch. 7; erosion control, Ch. 9; fire prevention and protection, Ch. 10; zoning ordinance, Ch. 23.

State law references--Air pollution control, G.S. §143-215.105 *et seq.*; authority of Board of County Commissioners to establish, administer, and enforce a local air pollution control program. G.S. §143-215.112(c); authority to levy taxes to maintain and administer such program, G.S. §153A-149(c)(3).

- expressed in units of grams per square meter per 30-day period.
- (14) "Emission" means the release or discharge, whether directly or indirectly, of any air pollutant into the ambient air from any source.
 - (15) "Facility" means all of the pollutant emitting activities, except transportation facilities as defined under Rule .0802 of this Subchapter, that are located on one or more adjacent properties under common control.
 - (16) "FR" means Federal Register.
 - (17) "Fugitive emission" means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
 - (18) "Fuel burning equipment" means equipment whose primary purpose is the production of energy or power from the combustion of any fuel. The equipment is generally used for, but not limited to, heating water, generating or circulating steam, heating air as in warm air furnace, or furnishing process heat by transferring energy by fluids or through process vessel walls.
 - (19) "Garbage" means any animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.
 - (20) "Incinerator" means a device designed to burn solid, liquid, or gaseous waste material.
 - (21) "Opacity" means that property of a substance tending to obscure vision and is measured as percent obscuration.
 - (22) "Open burning" means any fire whose products of combustion are emitted directly into the outdoor atmosphere without passing through a stack or chimney, approved incinerator, or other similar device.
 - (23) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a facility, source, or air pollution control equipment.
 - (24) "Particulate matter" means any material except uncombined water that exists in a finely divided form as a liquid or solid at standard conditions.
 - (25) "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by methods specified in this Subchapter.
 - (26) "Permitted" means any source subject to a permit under this Subchapter or Subchapter 3Q.
 - (27) "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or its legal representative, agent or assigns.
 - (28) "PM10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by methods specified in this Subchapter.
 - (29) "PM10 emissions" means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by methods specified in this

- Subchapter.
- (30) "Refuse" means any garbage, rubbish, or trade waste.
 - (31) "Rubbish" means solid or liquid wastes from residences, commercial establishments, or institutions.
 - (32) "Rural area" means an area that is primarily devoted to, but not necessarily limited to, the following uses: agriculture, recreation, wildlife management, state park, or any area of natural cover.
 - (33) "Salvage operation" means any business, trade, or industry engaged in whole or in part in salvaging or reclaiming any product or material, including, but not limited to, metal, chemicals, motor vehicles, shipping containers, or drums.
 - (34) "Smoke" means small gas-borne particles resulting from incomplete combustion, consisting predominantly of carbon, ash, and other burned or unburned residue of combustible materials that form a visible plume.
 - (35) "Source" means any stationary article, machine, process equipment, or other contrivance, or combination thereof, or any tank-truck, trailer or railroad tank car from which air pollutants emanate or are emitted, either directly or indirectly.
 - (36) "Sulfur oxides" means sulfur dioxide, sulfur trioxide, their acids and the salts of their acids. The concentration of sulfur dioxide is measured by the methods specified in this Subchapter.
 - (37) "Total suspended particulate" means any finely divided solid or liquid material, except water in uncombined form, that is or has been airborne as measured by methods specified in this Subchapter.
 - (38) "Trade wastes" means all solid, liquid, or gaseous waste materials or rubbish resulting from combustion, salvage operations, building operations, or the operation of any business, trade, or industry including, but not limited to, plastic products, paper, wood, glass, metal, paint, grease, oil and other petroleum products, chemicals, and ashes.
 - (39) "ug" means micrograms. (Ord. No. 9-94, 12-19-94, 11-11-96, 9-14-98)

THIS IS THE FEDERALLY APPROVED REGULATION AS OF OCTOBER 1, 2017

	Date Submitted To EPA	Date Approved by EPA	Federal Register
Original Reg	JUN 14, 1990	MAY 02, 1991	56 FR 20140
1st Revision	MAR 7, 1994	FEB 1, 1996	61 FR 3586
2nd Revision	NOV 6, 1998	FEB 17, 2000	65 FR 8093

Section .0103 Copies of Referenced Federal Regulations

(a) Copies of applicable Code of Federal Regulations sections referred to in this Subchapter are available for public inspection at Forsyth County Environmental Affairs Department office located at 537 N. Spruce Street, Winston-Salem, NC 27101.

(b) Copies of such Rules can be made at the Forsyth County Environmental Affairs Department office for ten cents (\$0.10) per page. (Ord. No. 9-94, 12-19-94)

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Section .0104 Incorporation by Reference

(a) Anywhere there is a reference to Rules contained in the Code of Federal Regulations (CFR) or to an American Society for Testing and Materials method (ASTM) in this Subchapter, those Rules and methods are incorporated by reference.

(b) The Code of Federal Regulations and American Society for Testing and Materials methods incorporated by reference in this Subchapter shall automatically include any later amendments thereto unless a specific rule specifies otherwise.

(c) The Code of Federal Regulations may be purchased from the Superintendent of Documents, P. O. Box 371954, Pittsburgh, PA 15250. The cost of the referenced documents are as follows:

- (1) 40 CFR Parts 1 to 49: thirty-one dollars (\$31.00).
- (2) 40 CFR Parts 50 to 51: twenty-four dollars (\$24.00).
- (3) 40 CFR Part 52.01 to 52.1018: twenty-eight dollars (\$28.00).
- (4) 40 CFR Part 52.1019 to end: thirty-three dollars (\$33.00).
- (5) 40 CFR Parts 53 to 59: seventeen dollars (\$17.00).
- (6) 40 CFR Part 60: fifty-three dollars (\$53.00).
- (7) 40 CFR Parts 61 to 62: eighteen dollars (\$18.00).
- (8) 40 CFR Part 63: fifty-seven dollars (\$57.00).
- (9) 40 CFR Parts 64 to 71: eleven dollars (\$11.00).
- (10) 40 CFR Parts 72 to 80: thirty-six dollars (\$36.00).
- (11) 40 CFR Parts 81 to 85: thirty-one dollars (\$31.00).
- (12) 40 CFR Part 86: fifty-three dollars (\$53.00).
- (13) 40 CFR Parts 87 to 135: forty-seven dollars (\$47.00).
- (14) 40 CFR Parts 260 to 265: twenty-nine dollars (\$29.00).
- (15) 40 CFR Parts 266 to 299: thirty dollars (\$30.00).

These prices are February 10, 1999 prices.

(d) The American Society for Testing and Materials methods may be purchased from the American Society for Testing and Materials at 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 or through their website at www.astm.org. The cost of the referenced documents are as follows:

- (1) ASTM D 129: fifteen dollars (\$15.00).
- (2) ASTM D 240: eighteen dollars (\$18.00).
- (3) ASTM D 396: eighteen dollars (\$18.00).
- (4) ASTM D 1552: eighteen dollars (\$18.00).
- (5) ASTM D 2013: twenty-one dollars (\$21.00).
- (6) ASTM D 2015: eighteen dollars (\$18.00).
- (7) ASTM D 2234: twenty-one dollars (\$21.00).
- (8) ASTM D 3173: fifteen dollars (\$15.00).
- (9) ASTM D 3177: fifteen dollars (\$15.00).
- (10) ASTM D 4239: eighteen dollars (\$18.00).
- (11) ASTM D 5412: eighteen dollars (\$18.00).
- (12) ASTM D 5504: eighteen dollars (\$18.00).

These prices are February 10, 1999 prices.

(e) The Code of Federal Regulations and American Society for Testing and Materials methods referenced in Chapter 3 are available for inspection at the Forsyth County Environmental Affairs Department at 537 N. Spruce Street, Winston-Salem, NC. (Ord. No. 9-94, 12-19-94; 11-13-95, 9-14-98, 5-24-99)

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¹See 3B .0102 (a)(2); "MAILING LIST" is not adopted in the County Code. **This footnote and the following footnotes delineate the differences between the State and County Code. Footnotes which appear in Subchapter 3D are for information only and are not adopted as part of the Forsyth County Code.**