

Article 2.0000 Air Pollution Control Regulations and Procedures

Section 2.0100 Definitions and References

Section 2.0101 Definitions

The definition of any word or phrase used in Regulations of this Article 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 "Article 21. G.S. 143, entitled “Water and Air Resources.”.
- (2) **“Administrator”** means the Director of Mecklenburg County Air Quality when it appears in any Code of Federal Regulation incorporated by reference in this Ordinance, unless:
 - (a) a specified Regulation in this Ordinance specifies otherwise; or
 - (b) the U.S. Environmental Protection Agency, in its delegation or approval, states that a specific authority of the Administrator of the Environmental Protection Agency is not included in such a delegation or approval.
- (3) **“Air pollutant”** means an air pollution agent or combination of such agents, including any physical, chemical, biological, radioactive substance or matter emitted into or otherwise enters the ambient air. Water vapor is not considered to be an air pollutant.
- (4) **“Ambient air”** means that portion of the atmosphere outside of buildings and other enclosed structures, stacks, or ducts and that surrounds human, animal, or plant life or property.
- (5) **“Approved”** means approved by the Director of Mecklenburg County Air Quality.
- (6) **“Capture system”** means the equipment including hoods, ducts, and fans, used to contain, capture, or transport a pollutant to a control device.
- (7) **“CFR”** means the Code of Federal Regulations.
- (8) **“Combustible material”** means any substance that, when ignited, will burn in air.
- (9) **“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 of a facility. The following activities are not construction:
 - (a) clearing and grading;
 - (b) building access roads, driveways, and parking lots;
 - (c) building and installing underground pipe work, including water, sewer, electric, and telecommunications utilities; or
 - (d) building ancillary structures, including fences and office buildings that are not a necessary component of an air contaminant source, equipment, or associated air cleaning device for which a permit is required under G.S. 143-215.108.

- (10) **“Control device”** means equipment, including fume incinerator, adsorber, absorber, scrubber, filter media, cyclone, and electrostatic precipitator,) used to destroy or remove an air pollutant before discharge to the ambient air.
- (11) **“Day”** means a 24-hour period beginning at midnight.
- (12) **“Director”** means the Director of the Mecklenburg County Air Quality.
- (13) **“Dustfall”** means particulate matter that settles out of the air. Dustfall shall be 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, that are located on one or more contiguous or adjacent properties.
- (16) **“FR”** means the Federal Register.
- (17) **“Fuel burning equipment”** means equipment whose primary purpose is the production of energy or power from the combustion of any fuel. Use of the equipment include heating water, generating or circulating steam, heating air as in a warm air furnace, furnishing process heat by transferring energy by fluids or through process vessel walls.
- (18) **“Fugitive emission”** means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening.
- (19) **“Garbage”** means any animal and vegetable waste resulting from the handling, preparation, cooking, or 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 Article.
- (26) **“Permitted”** means any source subject to a permit under this Ordinance.
- (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) **“PM2.5”** means particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers as measured by methods specified in Article 2.0000 of this Ordinance.
- (29) **“PM-10”** means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by methods specified in this Article.
- (30) **“PM-10 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 Article.
- (31) **“Refuse”** means any garbage, rubbish, or trade waste.
 - (32) **“Rubbish”** means solid or liquid wastes from residences, commercial establishments, or institutions.
 - (33) **“Rural area”** means an area that is devoted to the following uses: agriculture, recreation, wildlife management, state park, or any area of natural cover.
 - (34) **“Salvage operation”** means any business, trade, or industry engaged in whole or in part in salvaging or reclaiming any product or material, including metal, chemicals, motor vehicles, shipping containers, or drums.
 - (35) **“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.
 - (36) **“Source”** means any stationary article, machine, process equipment or other contrivance, singly or in or combination, or any truck tank, trailer or railroad tank car, from which air pollutants emanate or are emitted, either directly or indirectly.
 - (37) **“Sulfur oxides”** means sulfur dioxide, sulfur trioxide, their acids and the salts of their acids.
 - (38) **“Transportation Facility”** means a complex source as defined in G.S. 143-213(22).
 - (39) **“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 Article.
 - (40) **“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 plastic products, paper, wood, glass, metal, paint, grease, oil and other petroleum products, chemicals, and ashes.
 - (41) **“ug”** or **“µg”** means micrograms.

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*Authority G.S. 143-215.3(a)(1); 143-213;
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Section 2.0104 Adoption by Reference Updates

(a) Anywhere there is a reference to regulations contained in the Code of Federal Regulations (CFR) in this Article, those regulations are incorporated by reference.

(b) The Code of Federal Regulations incorporated by reference in this Article shall automatically include any later amendments thereto unless a specific regulation specified 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 51: twenty-seven dollars (\$27.00).

(2) 40 CFR Part 52: twenty-eight dollars (\$28.00).

(3) 40 CFR Parts 53 to 60: thirty-one dollars (\$31.00).

(4) 40 CFR Parts 61 to 80: fourteen dollars (\$14.00).

(5) 40 CFR Parts 260 to 269: twenty-two dollars (\$22.00)

These prices are January 1992 prices.

History Note: Statutory Authority G.S. 150B-21.6;

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