

CHAPTER 4 - AIR POLLUTION CONTROL REQUIREMENTS**SECTION .0100 - DEFINITIONS AND REFERENCES****.0101 DEFINITIONS**

The definition of any word or phrase used in Rules of this Chapter 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) "Administrator" means when it appears in any Code of Federal Regulation incorporated by reference in this Chapter, the Director and the Board of the Agency unless:
 - (a) a specific rule in this Chapter specifies otherwise, or
 - (b) the U.S. Environmental Protection Agency in its delegation or approval specifically states that a specific authority of the Administrator of the Environmental Protection Agency is not included in its 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.
- (4) "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.
- (5) "Approved" means approved by the Director and the Board of the Agency.
- (6) "Capture system" means the equipment (including hoods, ducts, fans, etc.) used to contain, capture, or transport a pollutant to a control device.
- (7) "CFR" means "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 status.
- (10) "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.
- (11) "Day" means a 24-hour period beginning at midnight.
- (12) "Director" means the Director of the Agency unless otherwise specified.

- (13) "Agency" means Western North Carolina Regional Air Quality Agency.
- (14) "Dustfall" means particulate matter that settles out of the air and is expressed in units of grams per square meter per 30-day period.
- (15) "Emission" means the release or discharge, whether directly or indirectly, of any air pollutant into the ambient air from any source.
- (16) "Facility" means all of the pollutant emitting activities, except transportation facilities, that are located on one or more adjacent properties under common control.
- (17) "FR" means Federal Register.
- (18) "Fugitive emission" means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
- (19) "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.
- (20) "Garbage" means any animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.
- (21) "Incinerator" means a device designed to burn solid, liquid, or gaseous waste material.
- (22) "Opacity" means that property of a substance tending to obscure vision and is measured as percent obscuration.
- (23) "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.
- (24) "Owner or operator" means any person who owns, leases, operates, controls, or supervises a facility, source, or air pollution control equipment.
- (25) "Particulate matter" means any material except uncombined water that exists in a finely divided form as a liquid or solid at standard conditions.
- (26) "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 Chapter.
- (27) "Permitted" means any source subject to a permit under this Chapter or Chapter 17.
- (28) "Person" as defined N.C.G.S. 143-212 includes 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.

- (29) "PM10" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by methods specified in this Chapter.
- (30) "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 Chapter.
- (31) "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 this Chapter.
- (32) "Refuse," means any garbage, rubbish, or trade waste.
- (33) "Rubbish" means solid or liquid wastes from residences, commercial establishments, or institutions.
- (34) "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.
- (35) "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.
- (36) "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.
- (37) "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.
- (38) "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 Chapter.
- (39) "Transportation facility" means a complex source as defined in G.S. 143 213(22).
- (40) "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 Chapter.
- (41) "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.
- (42) "ug" means micrograms.

NCDAQ History Note:

Filed as a Temporary Amendment Eff. March 8, 1994 for a

period of 180 days until the permanent rule is effective, whichever is sooner; Authority G.S. 143-215.3(a)(1); 143-213; Eff. February 1, 1976; Amended Eff. January 1, 2015; December 1, 2005; June 1, 2004; July 1, 1998; July 1, 1996; July 1, 1994; December 1, 1989; July 1, 1988.

*WNCRAQA History Note: Adopted Eff. May 8, 2000
Amended Eff. March 9, 2015; March 13, 2006.*

.0102 PHRASES (REPEALED)

NCDAQ History Note: Statutory Authority G.S. 143-215.3(a)(1); 143-213; Eff. February 1, 1976; Amended Eff. December 1, 1976; Repealed Eff. July 1, 1984.

.0103 COPIES OF REFERENCED FEDERAL REGULATIONS

(a) Copies of applicable Code of Federal Regulations sections referred to in this Chapter are available for public inspection at Western North Carolina Regional Air Quality Agency office, located at 49 Mt. Carmel Road, Asheville, NC 28806

(b) Copies of such rules can be made at the Agency office for ten cents (\$0.10) per page.

NCDAQ History Note: Statutory Authority G.S. 143-215.3; 150B-21.6; Eff. December 1, 1976; Amended Eff. December 1, 1992; August 1, 1991; July 1, 1988; July 1, 1987; July 1, 1984.

WNCRAQA History Note: Adopted Eff. May 8, 2000

.0104 INCORPORATION BY REFERENCE

(a) All Code of Federal Regulations (CFR) and the American Society for Testing and Materials methods (ASTM) pertaining to or used for air quality management are hereby incorporated by reference.

(b) The Code of Federal Regulations and American Society for Testing and Materials methods 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

(d) The American Society for Testing and Materials methods may be purchased from the Agency at a price of twenty cents (\$0.20) per page.

NCDAQ History Note: Authority G.S. 150B-21.6;
Eff. July 1, 1988;
Amended Eff. July 1, 1998; May 1, 1995; December 1, 1992;
October 1, 1989.

WNCRAQA History Note: Adopted Eff. May 8, 2000, Revised September 11, 2000

.0105 MAILING LIST

(a) The Agency shall develop and maintain a mailing list of persons who have requested notification of rule-making as required by 150B 21.2(d). Such persons shall receive a copy of the complete notice as filed with the Office of Administrative Hearings.

(b) Any person requesting to be on a mailing list established under Paragraph (a) of this Rule shall submit a written request to the Agency, at 49 Mt. Carmel Road, Asheville, North Carolina, 28806. Payment of fees required under this Section may be by check or money order for thirty dollars (\$30.00) made payable to the Western North Carolina Regional Air Quality Agency. Payment shall be submitted with each request and received by June 1 of each year. The fee covers from July 1 to June 30 of the following year.

NCDAQ History Note: Authority G.S. 143-215.3(a)(1); 150B 21.2(d);
Eff. April 1, 1995;
Amended Eff. July 1, 2002; July 1, 1998.

WNCRAQA History Note: Adopted Eff. May 8, 2000;
Amended Eff. May 10, 2004.