

SECTION .0400 - ACID RAIN PROCEDURES**.0401 PURPOSE AND APPLICABILITY**

(a) The purpose of this Rule is to implement Phase II of the federal acid rain program pursuant to the requirements of Title IV of the Clean Air Act as provided in 40 CFR Parts 72 and 76.

(b) This Section applies to the sources described in 40 CFR 72.6 with such exceptions as allowed under 40 CFR 72.6.

(c) A certifying official of any unit may petition the Administrator for a determination of applicability under 40 CFR 72.6(c). The Administrator's determination of applicability shall be binding upon the Agency, except as allowed under 40 CFR 72.6(c).

NCDAQ History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner; Authority G.S. 143-215.3(a)(1); 143-215.107(a)(8); 143-215.108; Eff. July 1, 1994.
Amended Eff. April 1, 2001; April 1, 1999; April 1, 1996.

WNCRAQA History Note: Adopted Eff. May 8, 2000.
Amended Eff. April 9, 2001.

.0402 ACID RAIN PERMITTING PROCEDURES

(a) For the purpose of this Rule the definitions contained in 40 CFR 72.2 and 76.2 and the measurements, abbreviations, and acronyms contained in 40 CFR 72.3 shall apply.

(b) Affected units as defined in 40 CFR 72.6, 76.1, or Paragraph (b)(1) of Rule .0401 of this Section shall comply with the permit, monitoring, sulfur dioxide, nitrogen oxides, excess emissions, recordkeeping and reporting, liability, and any other provisions as required in 40 CFR Part 72 and 76. The term "permitting authority" shall mean the Agency, and the term "Administrator" shall mean the Administrator of the United States Environmental Protection Agency and its delegate.

(c) If the provisions or requirements of 40 CFR Part 72 or 76 conflict with or are not included in Section .0500 of this Chapter, then Part 72 or 76 provisions and requirements shall apply and take precedence.

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.0403 NEW UNITS EXEMPTION (REPEALED)

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.0404 RETIRED UNITS EXEMPTION (REPEALED)

NCDAQ History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner; Authority G.S. 143-215.3(a)(1); 143-215.107(a)(8); 143-215.108; Eff. July 1, 1994; Repealed Eff. April 1, 1996.

.0405 REQUIREMENTS TO APPLY (REPEALED)

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.0406 REQUIREMENTS FOR PERMIT APPLICATIONS (REPEALED)

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**.0407 PERMIT APPLICATION SHIELD AND BINDING EFFECT OF PERMIT APPLICATION
(REPEALED)**

NCDAQ History Note: Filed as a Temporary Rule Eff. March 8, 1994 for a period of 180 days or until the permanent rule is effective, whichever is sooner; Authority G.S. 143-215.3(a)(1); 143-215.107(a)(8); 143-215.108; Eff. July 1, 1994; Repealed Eff. April 1, 1996.

.0408 COMPLIANCE PLANS (REPEALED)

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.0409 PHASE II REPOWERING EXTENTIONS (REPEALED)

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.0410 PERMIT CONTENTS (REPEALED)

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.0411 STANDARD REQUIREMENTS (REPEALED)

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.0412 PERMIT SHIELD (REPEALED)

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.0413 PERMIT REVISIONS GENERALLY (REPEALED)

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.0414 PERMIT MODIFICATIONS (REPEALED)

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.0415 FAST-TRACK MODIFICATIONS (REPEALED)

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.0416 ADMINISTRATIVE PERMIT AMENDMENT (REPEALED)

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.0417 AUTOMATIC PERMIT AMENDMENT (REPEALED)

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.0418 PERMIT REOPENINGS (REPEALED)

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