

**15A NCAC 02D .1110 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS**

(a) With the exception of Paragraph (b) of this Rule, sources subject to national emission standards for hazardous air pollutants promulgated in 40 CFR Part 61 shall comply with emission standards, monitoring and reporting requirements, maintenance requirements, notification and record keeping requirements, performance test requirements, test method and procedural provisions, and all other provisions, as required therein, rather than with any otherwise-applicable Rule in 15A NCAC 02D .0500 that would be in conflict therewith.

(b) Along with the notice appearing in the North Carolina Register for a public hearing to amend this Rule to exclude a standard from this Rule, the Director shall state whether or not the national emission standards for hazardous air pollutants promulgated in 40 CFR Part 61, or part thereof, will be enforced. If the Commission does not adopt the amendment to this Rule to exclude or amend the standard within 12 months after the close of the comment period on the proposed amendment, the Director shall begin enforcing that standard when 12 months has elapsed after the end of the comment period on the proposed amendment.

(c) All requests, reports, applications, submittals, and other communications to the administrator required under Paragraph (a) of this Rule shall be submitted to the Director of the Division of Air Quality rather than to the Environmental Protection Agency; except that all such reports, applications, submittals, and other communications to the administrator required by 40 CFR 61.145 shall be submitted to the Director, Division of Epidemiology.

(d) In the application of this Rule, definitions contained in 40 CFR Part 61 shall apply rather than those in 15A NCAC 02D .0100.

(e) 15A NCAC 02Q .0102 shall not be applicable to any source to which this Rule applies. The owner or operator of the source shall apply for and receive a permit if required pursuant to 15A NCAC 02Q .0300 or .0500.

*History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(5); 150B-21.6;  
Eff. July 1, 1996;  
Amended Eff. June 1, 2008; July 1, 1997;  
Readopted Eff. July 1, 2018.