

15A NCAC 02Q .0509 PERMITTING OF NUMEROUS SIMILAR FACILITIES

(a) The Director shall not issue a single permit to cover numerous similar facilities or sources unless a notice and opportunity for public participation has been provided as required by 15A NCAC 02Q .0521.

(b) The Director shall not issue a single permit for numerous similar facilities and sources pursuant to this Rule unless:

(1) there is no difference between the facilities or sources that would require special permit conditions for any individual facility or source; and

(2) no unique analysis is required for any facility or source covered by the permit.

(c) A permit issued pursuant to this Rule shall comply with all the requirements of this Section.

(d) A permit issued pursuant to this Rule shall identify criteria by which facilities or sources may qualify for the permit. To facilities or sources that qualify, the Director shall grant the terms and conditions of the permit.

(e) The facility or source shall be subject to enforcement action for operating without a permit if the facility or source is later determined not to qualify for the terms and conditions of the permit issued pursuant to this Rule.

(f) Sources subject to Title IV shall not be eligible for a permit issued pursuant to this Rule.

(g) The owner or operator of a facility or source that qualifies for a permit issued pursuant to this Rule shall apply for coverage by the terms of the permit issued pursuant to this Rule or shall apply for a standard permit for each facility or source pursuant to this Section.

(h) The Division need not repeat the public participation procedures pursuant to 15A NCAC 02Q .0521 if it grants a request by a permit applicant to operate by a permit issued pursuant to this Rule, but such a grant shall not be a final permit action for purposes of judicial review.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108;
Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. July 1, 1994;
Readopted Eff. April 1, 2018;
Amended Eff. September 1, 2022.*