

**15A NCAC 02Q .0708 COMPLIANCE SCHEDULE FOR PREVIOUSLY UNKNOWN TOXIC AIR POLLUTANT EMISSIONS**

(a) The owner or operator of a facility permitted to emit toxic air pollutants shall submit a permit application within six months after the owner or operator learns of an emission of a previously unknown toxic air pollutant from a source at the facility that would have been included in the permit when it was issued. The application shall include the information required by Paragraph (b) of this Rule.

(b) When an application to revise a permit is submitted under this Rule, the owner or operator shall in addition to the application, submit to the Director:

- (1) an evaluation for the pollutant required by this Section and 15 NCAC 02D .1100 that demonstrates compliance with the acceptable ambient level set forth in 15A NCAC 02D .1104; or
- (2) a compliance schedule containing the information required by Paragraph (c) of this Rule for the proposed modifications to the facility, required to assure compliance with the acceptable ambient level pursuant to this Section and Section 15A NCAC 02Q .1100.

(c) The compliance schedule required under Subparagraph (b)(2) of this Rule shall contain the following increments of progress, as applicable:

- (1) a date by which contracts for emission control and process equipment will be awarded or orders will be issued for the purchase of component parts;
- (2) a date by which on-site construction or installation of the emission control and process equipment will begin;
- (3) a date by which on-site construction or installation of the emission control and process equipment will be completed; and
- (4) the date by which final compliance will be achieved.

(d) Final compliance shall be achieved no later than:

- (1) six months after the permit modification or renewal was issued if construction or installation of emission control or process equipment was not required;
- (2) one year after the permit modification or renewal was issued if construction or installation of emission control or process equipment is required; or
- (3) the time that was normally required to construct a stack or install other dispersion enhancement modifications but not more than one year after the permit modification or renewal was issued.

(e) The owner or operator shall certify to the Director, within 10 days after each applicable deadline for each increment of progress required in Paragraph (c) of this Rule, whether the required increment of progress has been met.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(3),(5); 143B-282; S.L. 1989, c. 168, s. 45; Eff. July 1, 1998; Readopted Eff. July 1, 2018.*