

ARTICLE 2.0000

AIR POLLUTION CONTROL REGULATIONS AND PROCEDURES

SECTION 2.0100 DEFINITIONS AND REFERENCES

2.0101 DEFINITIONS

The definition of any word or phrase used in Regulations of this Article 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) **“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. Water vapor is not considered to be an air pollutant.
- (3) **“Ambient air”** means that portion of the atmosphere outside of buildings and other enclosed structures, stacks or ducts, and that surrounds human, animal or plant life, or property.
- (4) **“Approved”** means approved by the Director of Mecklenburg County Air Quality.
- (5) **“Capture system”** means the equipment (including hoods, ducts, fans, etc.) used to contain, capture, or transport a pollutant to a control device.
- (6) **“CFR”** means "Code of Federal Regulations".
- (7) **“Combustible material”** means any substance that, when ignited, will burn in air.
- (8) **“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.
- (9) **“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.
- (10) **“Day”** means a 24-hour period beginning at midnight.
- (11) **“Director”** means the Director of the Mecklenburg County Air Quality.
- (12) **“Dustfall”** means particulate matter that settles out of the air and is expressed in units of grams per square meter per 30-day period.
- (13) **“Emission”** means the release or discharge, whether directly or indirectly, of any air pollutant into the ambient air from any source.
- (14) **“Facility”** means all of the pollutant emitting activities that are located on one or more contiguous or adjacent properties.
- (15) **“FR”** means Federal Register.
- (16) **“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 a

warmair furnace, furnishing process heat by transferring energy by fluids or through process vessel walls.

- (17) **“Fugitive emission”** means those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
- (18) **“Garbage”** means any animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.
- (19) **“Incinerator”** means a device designed to burn solid, liquid, or gaseous waste material.
- (20) **“Opacity”** means that property of a substance tending to obscure vision and is measured as percent obscuration.
- (21) **“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.
- (22) **“Owner or operator”** means any person who owns, leases, operates, controls, or supervises a facility, source, or air pollution control equipment.
- (23) **“Particulate matter”** means any material except uncombined water that exists in a finely divided form as a liquid or solid at standard conditions.
- (24) **“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 Article.
- (25) **“Permitted”** means any source subject to a permit under this Ordinance.
- (26) **“Person”** means 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.
- (27) **“PM-10”** means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by methods specified in this Article.
- (28) **“PM-10 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 Article.
- (29) **“Refuse”** means any garbage, rubbish, or trade waste.
- (30) **“Rubbish”** means solid or liquid wastes from residences, commercial establishments, or institutions.
- (31) **“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.
- (32) **“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.
- (33) **“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.
- (34) **“Smoke density measuring device”** means:
 - (A) Ringelmann Chart which is the chart published by the U.S. Bureau of Mines and described in their information Circular 8333 and on which are illustrated graduated shades of grey to black for use in estimating the light obscuring capacity of smoke;

- (B) the pocket size Ringelmann Chart and other adaptations commonly used by trained smoke inspectors; or
- (C) other equivalent standards approved by the Director.
- (35) **“Source”** means any stationary article, machine, process equipment or other contrivance, or combination thereof, or any truck tank, trailer or railroad tank car from which air pollutants emanate or are emitted, either directly or indirectly.
- (36) **“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 Article.
- (37) **“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 Article.
- (38) **“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.
- (39) **“ug”** means micrograms.

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1994; December 1, 1989; July 1, 1988.*

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2.0104 INCORPORATED BY REFERENCE

(a) Anywhere there is a reference to regulations contained in the Code of Federal Regulations (CFR) in this Article, those regulations are incorporated by reference.

(b) The Code of Federal Regulations incorporated by reference in this Article shall automatically include any later amendments thereto unless a specific regulation specified otherwise.

(c) The Code of Federal Regulations may be purchased from the Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250. The cost of the referenced documents are as follows:

- (1) 40 CFR Parts 1 to 51: twenty-seven dollars (\$27.00).
- (2) 40 CFR Part 52: twenty-eight dollars (\$28.00).

(3) 40 CFR Parts 53 to 60: thirty-one dollars (\$31.00).

(4) 40 CFR Parts 61 to 80: fourteen dollars (\$14.00).

(5) 40 CFR Parts 260 t 269: twenty-two dollars (\$22.00)

These prices are January 1992 prices.

History Note: Statutory Authority G.S. 150B-21.6;

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