

## ARTICLE IV. VISIBLE EMISSIONS

### **Sec. 1-59. Purpose of article.**

- (a) Purpose. The intent of this Regulation is to promulgate rules pertaining to the prevention, abatement, and control of emissions generated from fuel burning operations and other industrial processes where an emission can be reasonably expected to occur, except during startups made in accordance with procedures approved by the Board.
- (b) Scope. This Regulation shall apply to all fuel burning installations and to other processes that may have a visible emission. However, sources subject to an emission standard in Section 1-144., 1-158., and 1-159. of Article IX shall meet that standard.
- (c) Method 9, as stated in 40 CFR 60 Appendix A as of March 13, 1985 must be used in determining the opacity of a plume.
- (d) For installations existing as of July 1, 1971, visible emissions shall not be more than 40 percent opacity for an aggregate of more than five minutes in any one hour or more than 20 minutes in any 24-hour period.
- (e) For installations established after July 1, 1971, visible emissions shall not be more than 20 percent opacity for an aggregate of more than five minutes in any one hour or more than 20 minutes in any 24-hour period.
- (f) Where the presence of uncombined water is the only reason for failure of an emission to meet the limitations of Paragraph (c) or (d) of this Regulation, those requirements shall not apply.
- (g) Exception from 20 Percent Opacity Standard. Installations established after July 1, 1971, may, subject to the following conditions, receive an exception from the 20 percent opacity standard contained in Paragraph (d) of this Regulation. These installations may produce emissions up to 40 percent opacity, if:
  - (1) the installation demonstrates compliance with applicable particulate mass emissions standards, and
  - (2) The installation submits necessary data to show that emissions up to 40 percent opacity will not violate any national ambient air quality standard.

The burden of proving these conditions is on the installation and shall be approached in the following manner. An installation seeking an exception shall make application to the director requesting this recodification in its permit. The applicant shall submit the results of a source test within 90 days of application. Source testing shall be by the appropriate procedure as designated by regulation. During this same period the applicant shall submit data necessary to determine that emissions up to 40 percent opacity will not contravene ambient air quality standards. This evidence shall include, as a minimum, an inventory of past and projected emissions from the facility. In its review of ambient air quality, the Western North Carolina Regional Air Pollution Control Agency may require additional information that it considers necessary to assess the

resulting ambient air quality. If the applicant can thus show that it will be in compliance both with particulate mass emissions standards and ambient air quality standards, his permit shall be modified to allow emissions up to 40 percent opacity.

Adopted Feb. 17, 1972 - Revised March 13, 1985

**THIS IS THE FEDERALLY APPROVED REGULATION AS OF October 1, 2017**

	<b>Date Submitted To EPA</b>	<b>Date Approved by EPA</b>	<b>Federal Register</b>
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**Sec. 1-60 - 1-74      Reserved.**