



North Carolina Department of Environment and Natural Resources
Division of Air Quality


Michael F. Easley, Governor

William G. Ross, Jr., Secretary
B. Keith Overcash, P.E., Director

January 2, 2008

Memorandum

To: Regional Supervisors
Section Chiefs
Permit Engineers
Compliance Coordinators
Mike Abraczinskas

From: Keith Overcash 

Subject: Exemption of Internal Combustion Engines Subject to NSPS Requirements

Background

On September 11, 2006, EPA finalized standards of performance for stationary compression ignition (CI) internal combustion engines (ICE) under the 40 CFR Part 60, NSPS Subpart IIII. EPA is also proposing NSPS Subpart JJJJ, for Spark Ignition Internal combustion Engines (SI ICEs) to be promulgated December of 2007. These rules are applicable to all ICEs that commence construction (defined as ordered by the owner) after July 11, 2005, for sources subject to Subpart IIII, and after January 1, 2008, for sources subject to Subpart JJJJ.

Currently, rule 15A NCAC 2Q .0102(b)(1)(A) through (E) allows exemption only for sources subject to NSPS Subparts Dc, K, Ka, Kb, AAA, JJJ, and WWW.

The permit and compliance workgroups recommended that internal combustion engines subject to NSPS Subparts IIII and JJJJ also be made eligible for exemption.

State Rulemaking Action

The Division's Planning Section is moving forward with rulemaking to allow the internal combustion engines subject to the NSPS Subparts IIII and JJJJ to be eligible for permit exemption under 2Q .0102(b)(1).

Interim Policy

Until the effective date of the proposed rule change, the following policy applies. Portable, peak shaving, and emergency generators, and other internal combustion engines subject to the requirements of NSPS Subparts IIII and JJJJ that are not located at a Title V facility, may be exempt, if eligible, from permitting requirements under 2Q .0102(c).

cc: Brock Nicholson
Edythe McKinney