

Summary of November 5, 2025 Revisions to the Mecklenburg County Air Pollution Control Ordinance

Regulations found in the Mecklenburg County Air Pollution Control Ordinance (MCAPCO) originate from either of two sources. Some are developed by Mecklenburg County, but many are adopted by reference from state rules. This adoption will consist of state rules adopted by reference.

The North Carolina Department of Environmental Quality - Division of Air Quality (NCDEQ-DAQ) held public hearings state-wide prior to adoption of these state rules. Changes originate from Chapter 15A of the North Carolina Administrative Code (15A NCAC).

The amendment also includes an administrative update to permitting and compliance fee amounts found in MCAPCO Regulation 1.5231 – “Air Quality Fees” to incorporate an annual consumer price index adjustment that became effective July 1, 2025.

Regulations Adopted by Reference From State Rules

Note: All regulations are adopted by reference from state rules. The description of changes below are summaries and are not intended to be all-inclusive.

Mecklenburg County Air Pollution Control Ordinance Regulation To Be Revised	North Carolina Administrative Code Rule (15A NCAC) (State Code)	Summary of Change(s)
Municipal Solid Waste Landfills		
MCAPCO Regulations: 2.1701 2.1702 2.1703 2.1704 2.1705 2.1706 2.1707 2.1708 2.1709 2.1710	State Rules: 2D Section .1701 2D Section .1702 2D Section .1703 2D Section .1704 2D Section .1705 2D Section .1706 2D Section .1707 2D Section .1708 2D Section .1709 2D Section .1710	This section, which encompasses all 2.1700 regulations, establishes requirements for municipal solid waste (MSW) landfills. These amendments: (1) make the regulations consistent with the federal emission guidelines found in 40 Code of Federal Regulations (CFR) 60 Subpart Cf – “Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills”, (2) strengthens the Non-Methane Organic Compounds (NMOC) emissions control threshold from 50 Mg/year to 34 Mg/year, and (3) incorporate revised recordkeeping, monitoring, and reporting requirements.
MCAPCO 2.1701	2D .1701 – “Definitions”	Clarifies the federal rule reference where the definitions for MSW landfills are located.
MCAPCO 2.1702	2D .1702 – “Applicability”	Replaces Title V permitting and reporting requirements listed within the regulation with a reference to the federal rule.
MCAPCO 2.1703	2D .1703 – “Emission Standards”	Strengthens the Non-Methane Organic Compounds (NMOC) emissions control threshold from 50 Mg/year to 34 Mg/year and adds federal rule references.
MCAPCO 2.1704	2D .1704 – “Test Methods And Procedures”	Revises language to require emission test procedures to be followed and reports to be submitted as required by the federal rule.
MCAPCO 2.1705	2D .1705 – “Operational Standards”	Revises language to require operational standards to be followed as required by the federal rule.

MCAPCO 2.1706	2D .1706 – “Compliance Provisions”	Revises language to require compliance to be determined based on the provisions of the federal rule.
MCAPCO 2.1707	2D .1707 – “Monitoring Provisions”	Revises language to require monitoring requirements to be followed as required by the federal rule.
MCAPCO 2.1708	2D .1708 – “Reporting Requirements”	Revises language to require reporting requirements to be followed as required by the federal rule.
MCAPCO 2.1709	2D .1709 – “Recordkeeping Requirements”	Revises language to require recordkeeping requirements to be followed as required by the federal rule.
MCAPCO 2.1710	2D .1710 – “Compliance Schedules”	Strengthens the Non-Methane Organic Compounds (NMOC) emissions threshold from 50 Mg/year to 34 Mg/year for which MSW landfills are required to submit site-specific design plans and install air emission collection and control systems within specified timelines.
Electronic Submittal of Documents		
MCAPCO Regulations: 2.0501 2.0546 2.0605 1.5505 1.5507 1.5508 1.5710	State Rules: 2D .0501 2D .0546 2D .0605 2Q .0505 2Q .0507 2Q .0508 2Q .0710	MCAPCO Regulations currently require many applications, reports, and other documentation to be submitted in hard copy format, sometimes requiring multiple copies. The amendments in this rulemaking are primarily to allow an option to receive applications, records, and other documents electronically where paper copy submissions are currently required.
MCAPCO 2.0501	2D .0501 – “Compliance With Emission Control Standards”	Provides minor wording and formatting changes with no substantive content changes. States the option for the public to view permits electronically in lieu of visiting MCAQ offices.
MCAPCO 2.0546	2D .0546 – “Control of Emissions From Log Fumigation Operations”	Removes requirement to include an original signature which would require submission in hardcopy format.
MCAPCO 2.0605	2D .0605 – “General Recordkeeping And Reporting Requirements”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 1.5505	2Q .0505 – “Application Submittal Content”	Removes requirement for multiple copies of letters for changes being made by a Title V facility.
MCAPCO 1.5507	2Q .0507 – “Application”	Revises requirement to submit multiple copies of Title V permit applications to only one copy.
MCAPCO 1.5508	2Q .0508 – “Permit Content”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 1.5710	2Q .0710 – “Public Notice And Opportunity For Public Hearing”	Provides minor wording and formatting changes with no substantive content changes.
Rule Readoption Cleanup		
MCAPCO Regulations: 2.0503 2.0506	State Rules: 2D .0503 2D .0506	There is an NC Statutory requirement for state agencies to review existing rules every 10 years. NCDAQ processed

2.0532 2.0614 2.0918 2.0926 2.0927 2.0928 2.0932 2.0961 2.0964 2.1403 1.5211 1.5706	2D .0532 2D .0614 2D .0918 2D .0926 2D .0927 2D .0928 2D .0932 2D .0961 2D .0964 2D .1403 2Q .0102 2Q .0706	several hundred rules through a multi-year readoption effort. This effort comprised of separating the rules into six groups. Some errors were introduced or carried forward during the readoption process. As a result, a cleanup effort was initiated to identify errors and any necessary clarifications arising since the rules were adopted into the code.
MCAPCO 2.0503	2D .0503 – “Particulates From Fuel Burning Indirect Heat Exchangers”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 2.0506	2D .0506 – “Particulates From Hot Mix Asphalt Plants”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 2.0532	2D .0532 – “Sources Contributing To An Ambient Violation”	Revises the list of pollutants in Subparagraph (c)(3) to add PM10 and PM2.5 to match with the ambient pollutants listed in Subparagraph (c)(4).
MCAPCO 2.0614	2D .0614 – “Compliance Assurance Monitoring”	Revises language to include references to 40 CFR (Code of Federal Regulations) 64.1 – “Compliance Assurance Monitoring”.
MCAPCO 2.0918	2D .0918 – “Can Coating”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 2.0926	2D .0926 – “Bulk Gasoline Plants”	Adds clarification regarding how “good operation and maintenance” and “vapor-tight” are defined.
MCAPCO 2.0927	2D .0927 – “Bulk Gasoline Terminals”	Adds clarification that the gasoline terminal owner or operator is required to maintain records of the required daily visual leak inspections. Adds clarification regarding how “hazardous liquid” is defined.
MCAPCO 2.0928	2D .0928 – “Gasoline Service Stations Stage I”	Adds clarification regarding how “good operation and maintenance” and “motor vehicle” are defined. Adds clarification that the vapor control system should be working as designed in accordance with manufacturer’s specifications.
MCAPCO 2.0932	2D .0932 – “Gasoline Cargo Tanks And Vapor Collection Systems”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 2.0961	2D .0961 – “Offset Lithographic Printing And Letterpress Printing”	Adds clarification about operating conditions and flow rate methodology to use during performance tests. Includes reference that “non-heatset” is also referred to as “coldset”.
MCAPCO 2.0964	2D .0964 – “Miscellaneous Industrial Adhesives”	Adds reference to 40 CFR 63.3981 to define adhesive coating and reactive adhesive.

MCAPCO 2.1403	2D .1403 – “Compliance Schedules”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 1.5211	2Q .0102 – “Applicability”	Provides minor wording and formatting changes with no substantive content changes.
MCAPCO 1.5706	2Q .0706 – “Modifications”	Provides minor wording and formatting changes with no substantive content changes.
Title V Insignificant Research and Development Activities Exemption		
MCAPCO 1.5529	2Q .0529 – “Title V Insignificant Research And Development Activities Exemption”	New regulation that establishes an exemption for Title V insignificant research and development (R&D) activities. R&D activities are defined, specifying that the activities are to conduct research and development into new processes and products, supervised by trained personnel, and are not activities engaged in or contributing to the manufacture of products for sale or exchange for commercial profit. Emissions thresholds are outlined, under which R&D activities can qualify as an insignificant activity because of size or production rate. These activities must meet the definition of R&D activities and the emissions requirements outlined. The regulation also specifies permit application and reporting requirements for the owner or operator of a major facility with insignificant R&D activities.
PM2.5 Particulate Matter Standard		
MCAPCO 2.0410	2D .0410 – “PM2.5 Particulate Matter”	Revises the national primary ambient air quality standard for PM2.5 from 12.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 9.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) based on an annual arithmetic mean concentration.