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. | | |

| | | Revises language to require compliance | | |
|-----------------------------------|---|---|--|--|
| MCAPCO 2.1706 | 2D .1706 – "Compliance | to be determined based on the provisions | | |
| WCAF CO 2.1700 | Provisions" | of the federal rule. | | |
| | | Revises language to require monitoring | | |
| MCAPCO 2.1707 | 2D .1707 – "Monitoring Provisions" | requirements to be followed as required | | |
| | | by the federal rule. | | |
| | 2D .1708 – "Reporting | Revises language to require reporting | | |
| MCAPCO 2.1708 | Requirements" | requirements to be followed as required | | |
| | Requirements | by the federal rule. | | |
| MCAPCO 2.1709 | 2D .1709 – "Recordkeeping | Revises language to require | | |
| | Requirements" | recordkeeping requirements to be | | |
| | * | followed as required by the federal rule. | | |
| | | Strengthens the Non-Methane Organic Compounds (NMOC) emissions | | |
| | | threshold from 50 Mg/year to 34 | | |
| | 2D .1710 – "Compliance | Mg/year for which MSW landfills are | | |
| MCAPCO 2.1710 | Schedules" | required to submit site-specific design | | |
| | | plans and install air emission collection | | |
| | | and control systems within specified | | |
| | | timelines. | | |
| Electronic Submittal of Documents | | | | |
| | | MCAPCO Regulations currently require | | |
| MCAPCO Regulations: | State Rules: | many applications, reports, and other | | |
| 2.0501 | 2D .0501 | documentation to be submitted in hard | | |
| 2.0546 | 2D .0546 | copy format, sometimes requiring | | |
| 2.0605 | 2D .0605 | multiple copies. The amendments in this | | |
| 1.5505 | 2Q .0505 | rulemaking are primarily to allow an | | |
| 1.5507 | 2Q .0507 | option to receive applications, records, | | |
| 1.5508 | 2Q .0508 | and other documents electronically where | | |
| 1.5710 | 2Q .0710 | paper copy submissions are currently required. | | |
| | | Provides minor wording and formatting | | |
| | | changes with no substantive content | | |
| MCAPCO 2.0501 | 2D .0501 – "Compliance With | changes. States the option for the public | | |
| | Emission Control Standards" | to view permits electronically in lieu of | | |
| | | visiting MCAQ offices. | | |
| | 2D .0546 – "Control of Emissions | Removes requirement to include an | | |
| MCAPCO 2.0546 | From Log Fumigation Operations" | original signature which would require | | |
| | Trom 20g 1 umgunon operanons | submission in hardcopy format. | | |
| NG 1 DG 0 0 0 0 5 | 2D .0605 – "General Recordkeeping | Provides minor wording and formatting | | |
| MCAPCO 2.0605 | And Reporting Requirements" | changes with no substantive content | | |
| | | changes. Removes requirement for multiple copies | | |
| MCAPCO 1.5505 | 2Q .0505 – "Application Submittal | of letters for changes being made by a | | |
| WEAI CO 1.5505 | Content" | Title V facility. | | |
| | | Revises requirement to submit multiple | | |
| MCAPCO 1.5507 | 2Q .0507 – "Application" | copies of Title V permit applications to | | |
| | Tr ····· | only one copy. | | |
| | | Provides minor wording and formatting | | |
| MCAPCO 1.5508 | 2Q .0508 – "Permit Content" | changes with no substantive content | | |
| | | changes. | | |
| | 2Q .0710 – "Public Notice And | Provides minor wording and formatting | | |
| MCAPCO 1.5710 | Opportunity For Public Hearing" | changes with no substantive content | | |
| | 7 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - | changes. | | |
| Rule Readoption Cleanup | | | | |
| MCAPCO Regulations: | State Rules: | There is an NC Statutory requirement for | | |
| 2.0503 | 2D .0503 | state agencies to review existing rules | | |
| 2.0506 | 2D .0506 | every 10 years. NCDAQ processed | | |

| 2.0532 | 2D .0532 | several hundred rules through a multi- |
|-------------------|------------------------------------|---|
| 2.0332 | 2D .0332 2D .0614 | year readoption effort. This effort |
| 2.0918 | 2D .0014 2D .0918 | comprised of separating the rules into six |
| 2.0926 | 2D .0916 2D .0926 | groups. Some errors were introduced or |
| 2.0927 | 2D .0927 | carried forward during the readoption |
| 2.0927 | 2D .0927 2D .0928 | process. As a result, a cleanup effort was |
| 2.0928 | 2D .0928 2D .0932 | |
| 2.0932 | 2D .0932 2D .0961 | initiated to identify errors and any |
| | | necessary clarifications arising since the |
| 2.0964 | 2D .0964 | rules were adopted into the code. |
| 2.1403 | 2D .1403 | |
| 1.5211 | 2Q .0102 | |
| 1.5706 | 2Q .0706 | Duovides miner wording and formatting |
| MCAPCO 2.0503 | 2D .0503 – "Particulates From Fuel | Provides minor wording and formatting changes with no substantive content |
| WCAFCO 2.0303 | Burning Indirect Heat Exchangers" | |
| | | changes. |
| MCADCO 2.050c | 2D .0506 – "Particulates From Hot | Provides minor wording and formatting |
| MCAPCO 2.0506 | Mix Asphalt Plants" | changes with no substantive content |
| | | changes. |
| | ap 0500 ((g = 0.11) | Revises the list of pollutants in |
| MCAPCO 2.0532 | 2D .0532 – "Sources Contributing | Subparagraph (c)(3) to add PM10 and |
| | To An Ambient Violation" | PM2.5 to match with the ambient |
| | | pollutants listed in Subparagraph (c)(4). |
| | | Revises language to include references to |
| MCAPCO 2.0614 | 2D .0614 – "Compliance Assurance | 40 CFR (Code of Federal Regulations) |
| WC/11 CO 2.0014 | Monitoring" | 64.1 – "Compliance Assurance |
| | | Monitoring". |
| | | Provides minor wording and formatting |
| MCAPCO 2.0918 | 2D .0918 – "Can Coating" | changes with no substantive content |
| | | changes. |
| | | Adds clarification regarding how "good |
| MCAPCO 2.0926 | 2D .0926 – "Bulk Gasoline Plants" | operation and maintenance" and "vapor- |
| | | tight" are defined. |
| | | Adds clarification that the gasoline |
| | | terminal owner or operator is required to |
| MCAPCO 2.0927 | 2D .0927 – "Bulk Gasoline | maintain records of the required daily |
| WCAFCO 2.0921 | Terminals" | visual leak inspections. Adds |
| | | clarification regarding how "hazardous |
| | | liquid" is defined. |
| | | Adds clarification regarding how "good |
| | | operation and maintenance" and "motor |
| MCAPCO 2.0928 | 2D .0928 – "Gasoline Service | vehicle" are defined. Adds clarification |
| WICAFCO 2.0928 | Stations Stage I" | that the vapor control system should be |
| | | working as designed in accordance with |
| | | manufacturer's specifications. |
| | | Provides minor wording and formatting |
| MCAPCO 2.0932 | 2D .0932 – "Gasoline Cargo Tanks | changes with no substantive content |
| 1.10111 00 2.0732 | And Vapor Collection Systems" | changes. |
| | | |
| | | Adds clarification about operating |
| | 2D .0961 – "Offset Lithographic | conditions and flow rate methodology to |
| MCAPCO 2.0961 | Printing And Letterpress Printing" | use during performance tests. Includes |
| | I ma Detterpress I illimit | reference that "non-heatset" is also |
| | | referred to as "coldset". |
| | 25 0064 (25) | Adds reference to 40 CFR 63.3981 to |
| MCAPCO 2.0964 | 2D .0964 – "Miscellaneous | define adhesive coating and reactive |
| | Industrial Adhesives" | 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 Insi | gnificant 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 ($\mu g/m^3$) to 9.0 micrograms per cubic meter ($\mu g/m^3$) based on an annual arithmetic mean concentration. | | |