

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE BILL 2884**

Short Title: Disapprove Air Rule/Older Plants' Emissions. (Public)

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Sponsors: Representative Gibson.

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Referred to: Environment and Natural Resources.

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June 19, 2006

A BILL TO BE ENTITLED

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2 AN ACT TO DISAPPROVE A RULE ADOPTED BY THE ENVIRONMENTAL  
3 MANAGEMENT COMMISSION REGARDING THE PREVENTION OF  
4 SIGNIFICANT DETERIORATION OF AIR QUALITY AND ALLOW ITS  
5 READOPTION AS A TEMPORARY RULE.

6 The General Assembly of North Carolina enacts:

7       **SECTION 1.** Pursuant to G.S. 150B-21.3(b), 15A NCAC 02D .0530  
8 (Prevention of Significant Deterioration), as adopted by the Environmental Management  
9 Commission on February 10, 2005, and as approved by the Rules Review Commission  
10 on April 21, 2005, is disapproved. The Environmental Management Commission may  
11 adopt, pursuant to G.S. 150B-21.1 and consistent with G.S. 143-215.107, 143-215.108,  
12 and 143B-282, a temporary rule that incorporates the amendments to 15A NCAC 02D  
13 .0530 that are disapproved by this act, provided that the temporary and permanent rule  
14 specify that the determination of "baseline actual emissions" for an emissions unit made  
15 under 15A NCAC 02D .0530(b)(1) as adopted in these temporary and permanent rules  
16 shall apply only to permit applications for those units submitted after the effective date  
17 of those temporary rules, but shall not apply to permit applications for those units  
18 submitted before the effective date of those temporary rules, which shall be governed by  
19 the provisions of 15A NCAC 02D .0530(b)(1) in effect prior to February 10, 2005.

20       **SECTION 2.** This act is effective when it becomes law.