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Director



October 27, 2021

John Blevins, Acting Regional Administrator
USEPA, Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Subject: Pre-Hearing Draft of the Limited Maintenance Plan (LMP) for the Charlotte-Gastonia-Rock Hill Maintenance Area for the 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS)

Dear Mr. Blevins:

I am pleased to submit the pre-hearing draft of the *Limited Maintenance Plan (LMP) for the Charlotte-Gastonia-Rock Hill Maintenance Area for the 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS)*. Enclosed is the complete package containing the proposed State Implementation Plan (SIP) revision uploaded into the United States Environmental Protection Agency's (EPA) State Planning Electronic Collaboration System (SPeCS) for SIPs interface for your staff to review.

The North Carolina Division of Air Quality (DAQ) prepared this LMP for the Charlotte-Gastonia-Rock Hill maintenance area for the 1997 8-hour ozone NAAQS to comply with the D.C. Circuit decision that vacated EPA's interpretation that the second maintenance plans were not required for "orphan maintenance areas" (i.e., areas that had been redesignated to attainment for the 1997 ozone NAAQS (maintenance areas) and designated attainment for the 2008 8-hour ozone NAAQS).¹ The LMP covers the last 10 years of the 20-year maintenance period from January 3, 2014 through January 2, 2024.

Based on EPA's November 20, 2018, guidance, the DAQ is exercising the LMP option because this area fulfills the LMP requirements for the second maintenance plan period.² In a LMP, maintenance is demonstrated when current air quality levels measured by ambient monitoring sites in each area are below 85% of the standard, and air quality levels have not been highly variable during preceding years. The LMP also includes a typical ozone season summer day

¹ South Coast, 882 F.3d 1138 (D.C. Cir. 2018).

² "Resource Document for 1997 Ozone NAAQS Areas: Supporting Information for States Developing Maintenance Plans," U.S. EPA, November 20, 2018, available from https://www.epa.gov/sites/production/files/2018-11/documents/ozone_1997_naaqs_lmp_resource_document_nov_20_2018.pdf, accessed April 2020.



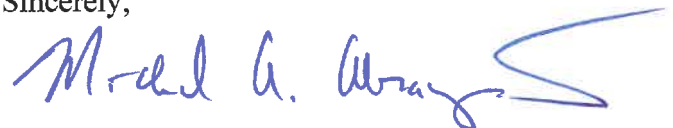
emissions inventory for 2017 representing emissions during which the monitoring data show attainment, a commitment to continue operation of the air monitoring network to verify the attainment status over the attainment period, and contingency measures to ensure prompt action is taken to correct any violation of the 1997 ozone NAAQS. The DAQ believes that the information presented in this LMP fulfills the requirements of CAA Section 175A(b) with respect to the second maintenance plan period and requests that EPA approve this LMP for the Charlotte-Gastonia-Rock Hill maintenance areas for the 1997 8-hour ozone NAAQS.

The DAQ will issue a public notice announcement, in accordance with 40 CFR 51.102, indicating that the pre-hearing draft of the *Limited Maintenance Plan (LMP) for the Charlotte-Gastonia-Rock Hill Maintenance Area for the 1997 8-Hour Ozone National Ambient Air Quality Standard (NAAQS)*, is available for public comment and is posted on the DAQ website for review. The public notice announcement will indicate that anyone may request a public hearing. In order to address current guidance to help minimize the spread of COVID-19, a digital public hearing via Cisco's WebEx teleconferencing service will be scheduled if a public hearing is requested. A separate notice will be announced for the hearing including the date, time, and methods to access the WebEx meeting. The public comment period will be open from Wednesday, October 27, 2021, through Tuesday, November 30, 2021. The DAQ intends to submit a final version of this pre-hearing draft for incorporation into North Carolina's SIP through EPA's SPeCS web-based system after considering relevant public comments.

In addition to posting on the website, the public notice announcement will be sent to a number of email distribution lists managed by the DAQ, which will include numerous stakeholders from industry and environmental groups. The DAQ has found that sending the public notice announcements to these groups is more effective than publishing the notices in a few local newspapers and is consistent with the requirements described in the April 6, 2011, memorandum, "*Regional Consistency for the Administrative Requirements of the State Implementation Plan Submittals and the Use of Letter Notices.*" Upon making an appointment consistent with the Department of Environmental Quality's policy during the COVID-19 pandemic, the document will also be made available for in person review during normal business hours at the DAQ Central Office in Raleigh and the DAQ Regional Office in Mooresville.

If you have any questions regarding this submittal, please contact Tammy Manning of my staff at (919) 707-8717 or tammy.manning@ncdenr.gov.

Sincerely,



Michael A. Abraczinskas, Director
Division of Air Quality

1 enclosure

cc:

Mr. Bruce Ingle, NCDAQ
Ms. Tammy Manning, NCDAQ
Mr. Randy Strait, NCDAQ
Ms. Leslie Rhodes, Mecklenburg County Air Quality
Ms. Ashley Featherstone, Western North Carolina Regional Air Quality Agency
Mr. Minor Barnette, Forsyth County Office of Environmental Assistance and Protection
Ms. Caroline Freeman, USEPA
Mr. Evan Adams, USEPA
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