

**NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION
PUBLIC NOTICE**

Notice is hereby given for public comment to be received by the North Carolina Department of Environmental Quality, Division of Air Quality, concerning the proposed amendment of air quality rules.

PURPOSE: To receive comments on the proposed amendments to 15A NCAC 02D .0516, Sulfur Dioxide Emissions from Combustion Sources. Also, to receive comment on the accompanying regulatory impact analysis for the proposed amendments.

BACKGROUND: The Clean Air Act required the United States Environmental Protection Agency (US EPA) to set national ambient air quality standards (NAAQS) for sulfur dioxide (SO₂) and five other pollutants considered harmful to public health and the environment. The State adopted these ambient standards on February 1, 1976, in 15A NCAC 02D .0400, Ambient Air Quality Standards. In addition, the State adopted emission control standards for these pollutants, including the SO₂ emission standard in 15A NCAC 02D .0516.

On November 18, 2021, a request for a declaratory ruling pursuant to NCGS § 150B-4 came before the Environmental Management Commission (EMC). The petition sought a ruling as to the interpretation of 15A NCAC 02D .0516 as it relates to the use of supplemental fuels. The EMC concluded that the plain language of the Rule does not prohibit the use of supplemental fuels, including natural gas purchased from a utility, to increase the heating value of flared waste biogas to enhance oxidation and to endeavor compliance with Rule 02D .0516.

The revisions proposed in this rulemaking are primarily to provide clarity and consistency with the Division of Air Quality's position that the use of supplemental fuels beyond what is needed for combustion is not a means for compliance with the SO₂ standard in 15A NCAC 02D .0516.

The text of the rules and regulatory impact analysis are available on the Division of Air Quality (DAQ) website:

<http://deq.nc.gov/about/divisions/air-quality/air-quality-rules/rules-hearing-process>.

NOTE: The proposed amendments considered in this hearing, if adopted, will be effective statewide and submitted to the US EPA to be included in the North Carolina State Implementation Plan (SIP); if they are later adopted by a local air pollution control agency, then that agency will enforce them in its area of jurisdiction.

DATE AND LOCATION: January 11, 2023 at 6:00pm
DEQ Green Square Office Building, 1st Floor Training Room (#1210)
217 West Jones Street, Raleigh, NC 27603; or
Cisco WebEx, Digital Hearing Link: <https://bit.ly/3F9clb1> Event password: NCDQAQ

Audio conference: To receive a call back, provide your phone number when you join the event, or call the number below and enter the access code.
US TOLL +1-415-655-0003, Access code: 2436 730 5068

*If you wish to speak at the digital public hearing, you must register, provide the required information, and follow instructions on ways to join the public hearing. Registration must be

completed by 4:00 PM on January 11, 2023. To register, please click the following link:
<https://forms.office.com/g/60sZnbCKWV>

*For instructions on ways to join the public hearing, please refer to the following link:
<https://files.nc.gov/ncdeq/Air%20Quality/rules/hearing/instructions-on-ways-to-join-webex.pdf>
<https://www.webex.com/test-meeting.html>

*If you have technical difficulties, the following automated voicemail has been set up to receive your verbal comments: 919-707-8430

Si necesita esta información en español, comuníquese con Carolina llamando al 919-609-2189 o enviando un correo electrónico Guadalupe.jimenez@ncdenr.gov

COMMENT PROCEDURES: All persons interested in these matters are invited to attend the public hearing. **Any person desiring to comment is requested to submit a written statement for inclusion in the record of proceedings at the public hearing.** Please note that the hearing officer may limit the length of oral presentations if many people wish to speak. The public comment period is open beginning December 1, 2022, through January 30, 2023. To be included in the hearing record, all comments must be postmarked, emailed, or received by the Division (if delivering in person) no later than January 30, 2023.

INFORMATION: Copies of the proposed rule changes may be downloaded at <http://deq.nc.gov/about/divisions/air-quality/air-quality-rules/rules-hearing-process>. Copies of the proposals may also be reviewed at the regional offices of the North Carolina Department of Environmental Quality, Division of Air Quality, located at the following cities:

Asheville	(828) 296-4500
Fayetteville	(910) 433-3300
Mooresville	(704) 663-1699
Raleigh	(919) 791-4200
Washington	(252) 946-6481
Wilmington	(910) 796-7215
Winston-Salem	(336) 776-9800

Comments should be submitted to; and additional information concerning the hearing or the proposed rulemaking may be obtained by contacting:

Ms. Katherine Quinlan
Division of Air Quality
1641 Mail Service Center
Raleigh, North Carolina 27699-1641
(919) 707-8702 Phone
(919) 715-0717 Fax (Please address it to "Katherine Quinlan")
daq.publiccomments@ncdenr.gov
(Please type "SO2 Revisions" in the subject line)

DATE: 11/30/22


Michael A. Abraczynski, DAQ Director