

**Attachment B**  
**Public Notice and Comments Received**

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**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY  
PUBLIC NOTICE**

**PURPOSE:** The North Carolina Department of Environmental Quality, Division of Air Quality (DAQ), hereby gives notice regarding its Clean Air Act Section 110(l) Noninterference Demonstration for Permit Streamlining Related Rules 15A NCAC 02Q .0102 and .0318. Rule 15A NCAC 02Q .0102, Activities Exempted From Permit Requirements, governs activities that do not require an air quality permit for non-Title V (small and synthetic minor) facilities. The rule was amended to make it easier to understand and to add new exemption requirements. Rule 15A NCAC 02Q .0318, Changes Not Requiring Permit Revisions, was adopted to allow facilities to make minor changes without first modifying their permit. The DAQ demonstrates that the adopted and amended rules do not interfere with the continued attainment or maintenance of any applicable NAAQS. Persons wishing to submit comments or request a public hearing are invited to do so.

**COMMENT PROCEDURES:** Any person wishing to comment may submit a written statement for inclusion in the record of proceedings regarding the Clean Air Act Section 110(l) Noninterference Demonstration for Permit Streamlining Related Rules 15A NCAC 02Q .0102 and .0318. Written comments should be received by no later than July 6, 2018.

**REQUESTS FOR A PUBLIC HEARING:** Requests for a public hearing must be in writing and include a statement supporting the need for such a hearing, an indication of your interest in the subject, and a brief summary of the information intended to be offered at such hearing. A public hearing will be scheduled if requested. A separate notice will be announced for the hearing including the date, time and location. Written requests for a public hearing should be received no later than July 6, 2018, and addressed to Patrick Knowlson, Division of Air Quality, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641.

**INFORMATION:** Copies of the Clean Air Act Section 110(l) Noninterference Demonstration for Permit Streamlining Related Rules 15A NCAC 02Q .0102 and .0318 may be downloaded from the DAQ website at <https://deq.nc.gov/about/divisions/air-quality/air-quality-rules/caa-section-110-sip-submissions>. Comments can be submitted to: [daq.publiccomments@ncdenr.gov](mailto:daq.publiccomments@ncdenr.gov)  
(Please type "Permit Streamlining 110(l)" in the subject line)

Comments can be mailed or faxed to:

Patrick Knowlson  
NC Division of Air Quality  
1641 Mail Service Center  
Raleigh, NC 27699-1641

Fax: (919) 707-8711

The Pre-hearing Draft of the demonstration may be reviewed in person during normal business hours at the following DAQ offices:

Raleigh Central Office, Planning Section	(919) 707-8403
Asheville Regional Office	(828) 296-4500
Fayetteville Regional Office	(910) 433-3300
Mooresville Regional Office	(704) 663-1699
Raleigh Regional Office	(919) 791-4200
Washington Regional Office	(252) 946-6481
Wilmington Regional Office	(910) 796-7215
Winston-Salem Regional Office	(336) 776-9800

Date: June 6, 2018



Michael A. Abraczinskas  
DAQ Director



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUL 06 2018

Mr. Michael A. Abraczinskas, Director  
North Carolina Department of Environmental  
Quality  
Division of Environmental Quality  
1641 Mail Service Center  
Raleigh, North Carolina 27699-1641

Dear Mr. Abraczinskas:

Thank you for your letter dated June 6, 2017, transmitting a prehearing package regarding the Noninterference Demonstration for the Permit Streamlining Rules 2Q .0102 and .0318, with comments due on July 6, 2017. We have completed our review of the prehearing submittal and offer comments in the enclosure.

We look forward to continuing to work with you and your staff. If you have any questions, please contact Ms. Lynorae Benjamin, Chief, Air Regulatory Management Section at (404) 562-9040, or have your staff contact Ms. Nacosta Ward at (404) 562-9140.

Sincerely,

A handwritten signature in black ink, appearing to read "For [unclear]".

R. Scott Davis  
Chief  
Air Planning and Implementation Branch

Enclosure

**The U.S. Environmental Protection Agency (EPA) Comments on North Carolina's  
Prehearing Submission – 110(l) Demonstration for Permit Streamlining**

**Key Comments**

1. The SIP-approved version of 2Q .0102(c)(2)(E)(ii) exempts facilities with “actual emissions...before air pollution control devices, such as uncontrolled emissions” less than five tons per year (tpy) of certain pollutants. The SIP revision seeks to change this exemption, now at paragraph .0102(d), to exempt facilities with “actual emissions” less than five tpy and total aggregate emissions less than 10 tpy. Please clarify what is meant by “actual emissions... before air pollution control devices” and what the effect of eliminating the phrase “before air pollution control devices, such as uncontrolled emissions” is on the existing threshold exemption. If there are changes to the number of facilities covered by this threshold exemption due solely to the elimination of the phrase “before air pollution control devices, such as uncontrolled emissions,” please address this directly in the demonstration.
2. The 110(l) demonstration states that the rule amendments do not relax any applicable state or federal standards or requirements. Please clarify what is meant by this statement and whether the applicable state or federal standards or requirements would be permitted as written or would be translated into source-specific emissions or operating limits.
3. Please clarify whether the rule amendments pertaining to exemptions and the ability to register in lieu of obtaining a construction permit are consistent with the minor New Source Review requirements at 40 CFR 51.160-.164.

**General Comments**

1. Section 3.3 of the 110(l) demonstration describes the affected facilities eligible for exemption from air quality permitting and eligible for registration with DAQ instead of holding a permit. Please include how the percentages of criteria pollutant emissions was calculated for these categories.
2. If there are compliance concerns, it appears it is to the discretion of the state to fully evaluate these concerns. Please clarify if there is a regulation where DAQ addresses compliance concerns to require a permit or take enforcement action.
3. Please clarify whether the exemption threshold in 2Q .0102(e) is based on emissions before or after air pollution control devices.

**Other Comments**

1. In the second paragraph of Section 4.0 of North Carolina's 110(l) demonstration, the State affirms that if compliance becomes an issue with an unpermitted facility, that DAQ would have several options to address the issue. One of these options requires a facility to obtain a permit pursuant to paragraph (g) of 2Q .0102. This appears to be a typographical error that should refer to paragraph (f) of 2Q .0102. Please clarify that this is North Carolina's intention for this rule.
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