



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

MICHAEL A. ABRACZINSKAS  
*Director*

April 11, 2017

V. Anne Heard  
Acting Regional Administrator  
USEPA Region 4  
Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, GA 30303-8960

**Subject: NC 110: Revision to Clean Air Act Section 110(I) Noninterference Demonstration for the Opacity and Start-up Requirements for Air Curtain Burners, Rule 15A NCAC 02D .1904 (b)(8)**

Dear Ms. Heard:

I am pleased to submit this demonstration that the North Carolina Department of Environmental Quality, Division of Air Quality (DAQ) has met the requirements of the Clean Air Act (CAA) Section 110(I) Noninterference Demonstration for revisions to the Opacity and Start-up Requirements for Air Curtain Burners (ACBs). Attachment A documents the amendments to Chapter 15A North Carolina Administrative Code (NCAC) 02D .1904 (b)(8). Attachment B contains the public notice and the EPA's no-comment letter. An exact duplicate electronic copy is being provided on a compact disk.

In a letter dated October 14, 2004, the DAQ submitted amendments to Chapter 15A NCAC 02D .1904 for EPA to review and approve as part of the State Implementation Plan (SIP). The EPA reference number associated with this SIP submission is NC-110. ACBs are regulated for the control of open burning, and Rule 02D .1904 has been implemented since 1996. The amendment in paragraph (b)(8) of the Rule consisted of two key changes: (1) ACB facilities subject to federal regulations under 40 CFR Part 60 Subpart CCCC would comply with their corresponding federal requirements, and (2) non-federally affected facilities would experience a relaxation in opacity requirement from 5% to 10% and the duration of start-up period from 30 minutes to 45 minutes.

The DAQ issued a public notice announcement on January 13, 2017, in accordance with 40 CFR 51.102, indicating that the North Carolina CAA 110(I) Noninterference Demonstration for the Opacity and Start-up Requirements for ACBs was available for public comment and posted on the DAQ website for review. The public notice announcement indicated that anyone may request a public hearing.

In addition to posting on the website, the public notice announcement was sent to a number of email distribution lists managed by the DAQ that includes numerous stakeholders from industry and environmental groups. The DAQ believes that sending the public notice announcements to these groups is more effective than publishing the notices in a few local

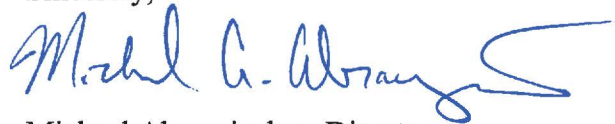
newspapers and is consistent with the requirements described in the April 6, 2011, memorandum, *“Regional Consistency for the Administrative Requirements of the State Implementation Plan Submittals and the Use of Letter Notices.”*

Additionally, the Rich Site Summary (RSS) feed on the DAQ website offers regular delivery of changes to the website content to those that have signed up for it. The document was also made available for in person review during normal business hours at the DAQ Central Office in Raleigh and seven Regional Offices.

The public comment period was open from January 13, 2017 through February 17, 2017. The DAQ did not receive any requests for a public hearing or any comments from the public or the EPA.

The DAQ believes it has in good faith addressed the requirements for a 110(l) noninterference demonstration. If you should have any questions, please contact Sushma Masemore at (919) 707-8700 or [sushma.masemore@ncdenr.gov](mailto:sushma.masemore@ncdenr.gov).

Sincerely,

A handwritten signature in blue ink, reading "Michael A. Abraczinskas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Abraczinskas, Director  
Division of Air Quality, NCDEQ

MAA/rps

Enclosures

cc: Michael Pjetraj, DAQ  
Sushma Masemore, DAQ  
Randy Strait, DAQ  
Scott Davis, USEPA  
Lynorae Benjamin, USEPA  
William Barnette, Forsyth County Office of Environmental Assistance and Protection  
Leslie Rhodes, Mecklenburg County Air Quality  
David Brigman, Western Regional Air Quality Agency