

FINAL

North Carolina
Clean Air Act Section 110(I)
Noninterference Demonstration
For
Revisions to Rule 15A NCAC 02Q .0207,
Annual Emissions Reporting



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PREFACE:

This document contains North Carolina's Clean Air Act Section 110(l) noninterference demonstration for revisions to Rule 15A NCAC 02Q .0207, Annual Emissions Reporting.

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Attachment A. Proposed Revisions to Rule 15A NCAC 02Q .0207 Annual Emissions Reporting

CLEAN AIR ACT SECTION 110(I) DEMONSTRATION

1.0 INTRODUCTION

The annual emissions reporting rule in the North Carolina Administrative Code (NCAC) is contained in Chapter 15A, Section 02Q .0207 (15A NCAC 02Q .0207). The Division of Air Quality (DAQ) is proposing to revise paragraphs (c) and (d) of North Carolina's emissions reporting rule regarding annual emissions reporting requirements for non-Title V stationary sources with actual emissions of nitrogen oxides (NO_x) or volatile organic compounds (VOC) ranging from 25 up to 100 tons per year (tpy). Paragraphs (c) and (d) of 15A NCAC 02Q .0207 address the emissions statement certification requirements of Section 182(a)(3)(B) of the 1990 Clean Air Act Amendments (CAAA) for areas designated nonattainment with the ozone National Ambient Air Quality Standard (NAAQS) under Title I, Part D, Subpart 2 of the CAAA. When 15A NCAC 02Q .0207 was first adopted in 1994, the emissions statement certification requirements applied to the Charlotte, Triad, and Triangle areas because they were designated nonattainment for the 1979 1-hour ozone NAAQS under Subpart 2 of the CAAA.

In 1997, the U.S. Environmental Protection Agency (EPA) revised the form of the ozone standard to an 8-hour format and has lowered the 8-hour standard in 2008 and 2015. For the 1997 8-hour standard, only the Charlotte area was designated nonattainment under Subpart 2 of the CAAA. Although EPA revoked the 1979 1-hour standard one year after completing designations for the 1997 8-hour standard, and revoked the 1997 standard one year after completing designations for the 2008 standard, the emissions statement requirements continued to apply under EPA's "anti-backsliding" rules because the requirement was included in the maintenance plans for each area. It is important to note that all three areas achieved attainment with the 1997 and 2008 ozone standards, and EPA has designated the entire state of North Carolina attainment with the more stringent 2015 8-hour ozone standards.¹

The DAQ is proposing to revise paragraphs (c) and (d) of 15A NCAC 02Q .0207 to identify only those counties in the Charlotte area that remain subject to the emissions statement certification requirements. Thus, the DAQ must submit a demonstration to EPA for EPA's approval to revise the rule in accordance with Section 110(I) of the 1990 Clean Air Act Amendments (CAAA).

Section 110(I) of the 1990 CAAA states:

"Each revision to an implementation plan submitted by a State under this chapter shall be adopted by such State after reasonable notice and public hearing. The Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 171 of this title), or any other applicable requirement of this Act."

¹ *Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards (NAAQS)*, Final Rule, 82 FR 54232, November 16, 2017. This final rule is effective on January 16, 2018.

The following “noninterference demonstration” is provided to show that revisions to the state annual emissions reporting rule will not interfere with North Carolina’s ability to continue to attain and maintain compliance with the current ozone, carbon monoxide (CO), particulate matter (PM), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), and lead NAAQS.

2.0 BACKGROUND

2.1 History of North Carolina’s Attainment Status with the Ozone NAAQS

North Carolina has significantly reduced ozone concentrations statewide over the past two decades. This is in sharp contrast to the air quality conditions 20 years ago, when two-thirds of the state’s monitors were violating the federal ozone standard. Through October 31, 2017, North Carolina does not have a single air quality monitor violating the 2015 8-hour ozone standard of 0.070 parts per million (ppm) [70 parts per billion (ppb)], which is significantly lower than the 1997 8-hour standard of 0.08 ppm in effect 20 years ago.

Table 1 identifies the areas in North Carolina for which EPA has redesignated to attainment and approved a maintenance plan for the 1979 1-hour standard and the 1997 and 2008 8-hour ozone standards. The EPA-approved maintenance plans for each area include a commitment by North Carolina to comply with the provisions of Section 110 and Part D of the CAAA per Section 107(d)(3)(E)(v) of the CAAA. Part D, Subpart 2, Section 182(a)(1) and (3) of the CAAA specify emissions inventory requirements for ozone nonattainment areas classified as marginal and above.

Table 1. History of Ozone Maintenance Areas Subject to Emissions Statement Certification Requirements per Rule 15A NCAC 02Q .0207

Area	Nonattainment Designation		Effective Date Redesignated to Attainment / Maintenance
	Date	Classification	
1979 1-Hour Ozone NAAQS			
Triad Area (Greensboro-Winston Salem-High Point)	Jan. 6, 1992 (56 FR 56694, Nov. 6, 1991)	CAAA Title I, Part D, Subpart 2, Moderate	Nov. 8, 1993 (58 FR 47391, Sept. 9, 1993)
Triangle Area (Raleigh-Durham-Chapel Hill)			June 17, 1994 (59 FR 18300, April 18, 1994)
Charlotte-Gastonia Area			July 5, 1995 (60 FR 34859, July 5, 1995)
1997 8-Hour Ozone NAAQS			
Triad Area (Greensboro-Winston Salem-High Point)	Deferred due to participation in Early Action Compact (EAC) ¹		April 15, 2008 (73 FR 17897, April 2, 2008)
Triangle Area (Raleigh-Durham-Chapel Hill)	June 15, 2004 (69 FR 23857,	Former Subpart 1	Dec. 26, 2007 (72 FR 72948, Dec. 26, 2007)
Metrolina Area (Charlotte-Gastonia-Salisbury, NC and Rock Hill, SC)	April 30, 2004)	Subpart 2, Moderate	Jan. 2, 2014 (78 FR 72036, Dec. 2, 2013)
2008 8-Hour Ozone NAAQS			
Charlotte-Gastonia-Rock Hill	May 21, 2012 (77 FR 30088)	Subpart 2, Marginal	Aug. 27, 2015 (80 FR 44873, July 28, 2015)

¹ The EPA required a CAAA Section 110(a)(1) maintenance plan for areas that were designated as attainment/unclassifiable for the 1997 8-hour ozone standard and were designated as attainment for the 1-hour ozone standard with an approved maintenance plan. The maintenance plan, approved by EPA, became effective on March 26, 2012 (77 FR 3611, January 25, 2012).

2.2 History of North Carolina's Annual Emissions Reporting Rule

The annual emissions reporting rule, codified at 15A NCAC 02Q .0207, was initially adopted by North Carolina on July 1, 1994, to comply with annual emissions reporting requirements for stationary source facilities as specified in the CAAA. The rule has undergone three revisions (July 1, 1996; July 1, 1998; and July 1, 2007) since 1994.

The current rule contains the following requirements:

- Paragraphs (a) and (b) of the rule specify the pollutants for which an owner or operator of a Title V facility located within the state must report and certify criteria and hazardous air pollutant emissions to the state by June 30 of each year.
- Paragraphs (c) and (d) of the rule specify that an owner or operator of a non-Title V facility that emits 25 tpy or more of NO_x or VOC must report and certify its emissions to the state by June 30 of each year if it is in one of the following counties:

Cabarrus, Davidson, Durham, Forsyth, Gaston, Guilford, Lincoln, Mecklenburg, Rowan, Union, Wake, Iredell (Davidson Township and Coddle Creek Township), Granville (Dutchville Township), and Davie (that part of the county bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to the Yadkin River).

- Paragraph (e) provides for the Director of DAQ to establish the form of the annual emissions reports to be prepared and submitted by owners and operators of facilities subject to the rule. In addition, paragraph (e) provides that, "The Director may require reporting for sources within a facility, for other facilities, or for other pollutants, parameters, or information, by permit condition or pursuant to 15A NCAC 02D .0202 (Registration of Air Pollution Sources)."

Owners or operators of facilities subject to the 15A NCAC 02Q .0207 rule have an operating permit either because they are subject to North Carolina's Title V rules (15A NCAC 02Q .0500) for major sources or non-Title V rules (15A NCAC 02Q .0300) for small and synthetic minor sources. A facility with a Title V operating permit is required to report actual emissions annually to the DAQ. In addition, paragraphs (c) and (d) of 15A NCAC 02Q .0207 address the annual emissions statement requirements of Title I, Part D, Subpart 2, Section 182(a)(3)(B) of the CAAA for facilities with operating permits in ozone nonattainment areas that emit 25 tpy or more of NO_x or VOC emissions. As authorized under Section 182(a)(3)(B)(ii) of the CAAA, North Carolina does not require facilities that emit less than 25 tpy of NO_x or VOC to certify their emissions annually. Instead, the DAQ prepares emissions (following EPA methods) for facilities that emit less than 25 tpy of NO_x or VOC, as needed, to fulfill the initial base year

emissions inventory requirement under Section 182(a)(1) and the periodic emissions inventory requirement under Section 182(a)(3)(A) of the CAAA for marginal areas.

2.3 History of Applicability of Emissions Statement Certification Requirements to Ozone Maintenance Areas in North Carolina

Paragraphs (c) and (d) of the 15A NCAC 02Q .0207 rule only apply to areas that have been designated nonattainment with the ozone NAAQS under Subpart 2 of the CAAA. At the time the rule was adopted in 1994, under Subpart 2 of the CAAA, EPA had designated the Triad, Triangle, and Charlotte-Gastonia areas as “moderate” nonattainment for the 1-hour ozone standard. Therefore, the rule included only the counties (or portions of counties) that were subject to the Subpart 2 designation. Although each of the three areas was redesignated to attainment with the 1-hour standard by 1995, the areas still had to comply with the emissions statement requirements which were included in the maintenance plans for the three areas.

In 1997, EPA revised the form of the ozone standard from a 1-hour² to an 8-hour³ format. Although the designation process for the 1997 8-hour standard expanded the boundary of the Triad, Triangle, and Charlotte areas to include additional counties (or portions of counties), the emissions statement requirements only applied to those counties that were designated nonattainment with the ozone NAAQS under Subpart 2. The following explains the applicability of the emissions statement requirements with respect to the 1997 and 2008 8-hour ozone standards for each area:

- **Charlotte Area:** For the 1997 8-hour standard, EPA designated the Charlotte-Gastonia-Salisbury, NC and Rock Hill, SC (Metrolina) as “moderate” nonattainment under Subpart 2 of the CAAA. The boundary of the maintenance area for the 1-hour standard, which included all of Mecklenburg and Gastonia Counties, was expanded to include all of Cabarrus, Gaston, Lincoln, Rowan, and Union Counties and a portion of Iredell County. In July 2007, North Carolina revised paragraphs (c) and (d) of 15A NCAC 02Q .0207 to include the counties added to the maintenance area. For the 2008 8-hour standard, EPA designated the Charlotte area as “marginal” nonattainment under Subpart 2 of the CAAA. The boundary of the area was tightened (relative to the boundary for the 1997 standard) to include all of Mecklenburg County and the urbanized portions of Cabarrus, Gaston, Iredell, Lincoln, Rowan, and Union Counties.
- **Triangle Area:** For the 1997 standard, EPA designated the Raleigh-Durham-Chapel Hill area as nonattainment under Subpart 1 of the CAAA. The EPA explained the basis for designating some areas under Subpart 1 versus Subpart 2 of the CAAA in its “Phase 1”

² For the 1979 1-hour ozone standard, attainment is defined when the expected number of days per calendar year, with maximum hourly average concentration greater than 0.12 ppm, is equal to or less than 1.

³ For the 1997 8-hour ozone standard, attainment is defined when the annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years, is less than or equal to 0.084 ppm.

implementation rule (69 FR 23951, April 30, 2004) which was challenged in court. The U.S. Court of Appeals for the District of Columbia Circuit vacated EPA's Phase 1 rule and provided clarification of its ruling in response to several petitions for rehearing on June 8, 2007. As a result, EPA revised its Phase 1 rule (77 FR 28424, May 14, 2012) to redesignate areas previously designated nonattainment under Subpart 1 to nonattainment under Subpart 2 if the areas had not achieved attainment with the 1997 8-hour ozone standard when the final rule was issued. Since EPA redesignated the Triangle area to attainment and approved the maintenance plan for the area (72 FR 72948, October 3, 2007) for the 1997 standard before EPA revised its Phase 1 implementation rule, the Triangle area was never reclassified under Subpart 2. Although the boundary of the area was expanded to include additional counties, the emissions statement requirements only applied to the three counties that had previously been designated as "moderate" nonattainment for the 1-hour ozone standard. Subsequently, the Triangle area was designated attainment with the 2008 8-hour standard.

- **Triad Area:** For the 1997 8-hour standard, the Greensboro-Winston Salem-High Point area participated in an Early Action Compact (EAC) that required the area to (1) comply with certain planning requirements to achieve reductions in ozone pollution earlier than required by the CAAA, and (2) demonstrate attainment with the 8-hour ozone NAAQS by December 31, 2007. By doing so, EPA deferred the designation date for the area until April 15, 2008 (71 FR 69022, November 29, 2006). The Triad area achieved attainment by this deadline and EPA redesignated the area to attainment. In accordance with EPA's implementation rule for the 1997 standard, North Carolina prepared a maintenance plan for the four counties that were previously designated nonattainment for the 1-hour ozone standard. Therefore, the emissions statement requirements continued to apply to the four counties. Subsequently, the Triad area was designated attainment with the 2008 8-hour standard.

3.0 PROPOSED REVISIONS TO ANNUAL EMISSIONS REPORTING RULE

3.1 Proposed Revisions to the Rule

The DAQ has identified paragraphs (c) and (d) of the annual emissions reporting rule (15A NCAC 02Q .0207) as unnecessary requirements that would provide regulatory relief to affected sources and has recommended the EMC to adopt revisions to this rule (see Attachment A). The proposed revisions would remove the annual emissions statement certification requirements for non-Title V facilities located in counties (and portions of counties) that were previously designated nonattainment under Subpart 2 of the CAAA but have subsequently been redesignated to attainment for the 1979 1-hour and 1997 8-hour ozone standards. Table 2 provides a summary of why each area became subject to the emissions statement requirements, why the emissions statement requirements are no longer applicable to each area, and identifies the counties (or portions of counties) for which the emissions statement requirement is proposed for removal.

**Table 2. Summary of Proposed Revisions to Annual Emissions Reporting Rule
(15A NCAC 02Q .0207)**

Area	Reason Subject to Emissions Statement Requirements	Reason for Removing Emissions Statement Requirements	Counties / Townships for which Emissions Statement Requirements is Proposed for Removal
Triad Area (Greensboro-Winston Salem-High Point)	For 1979 1-hour ozone NAAQS, designated moderate nonattainment under CAAA Title I, Part D, Subpart 2.	<ul style="list-style-type: none"> • Redesignated attainment with the 1979 1-hour ozone NAAQS; • Designated attainment with the 1997 and 2008 8-hour ozone NAAQS; and • EPA has revoked 1979 1-hour and 1997 8-hour ozone NAAQS. 	<ul style="list-style-type: none"> • All of Davidson and Forsyth Counties; • Dutchville Township in Guilford County; and • The part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to the Yadkin River.
Triangle Area (Raleigh-Durham-Chapel Hill)		<ul style="list-style-type: none"> • Redesignated attainment with the 1979 1-hour and 1997 8-hour ozone NAAQS; • Designated attainment with the 2008 8-hour ozone NAAQS; and • EPA has revoked 1979 1-hour and 1997 8-hour ozone NAAQS. 	<ul style="list-style-type: none"> • All of Durham, Granville, and Wake Counties.
Charlotte-Gastonia Area		<ul style="list-style-type: none"> • Not applicable – Mecklenburg and Gaston Counties are included in maintenance area for 2008 8-hour ozone NAAQS (see below). 	
Metrolina Area (Charlotte-Gastonia-Salisbury, NC and Rock Hill, SC)	For 1997 8-hour ozone NAAQS, designated moderate nonattainment under CAAA Title I, Part D, Subpart 2.	<ul style="list-style-type: none"> • Redesignated attainment with the 1979 1-hour and 1997 8-hour ozone NAAQS; and • EPA has revoked 1979 1-hour and 1997 8-hour ozone NAAQS. 	<ul style="list-style-type: none"> • Cabarrus County: Township of Gold Hill; • Gaston County: Township of Cherryville; • Lincoln County: Townships of Howards Creek and North Brook; • Rowan County: Townships of Cleveland, Morgan, Mount Ulla, and Scotch Irish; and • Union County: Townships of Buford, Jackson, Lanes Creek, and New Salem.
Charlotte-Gastonia-Rock Hill	For 2008 8-hour ozone NAAQS, designated marginal nonattainment under CAAA Title I, Part D, Subpart 2.	<ul style="list-style-type: none"> • Not applicable – although EPA redesignated this area attainment with the 2008 8-hour ozone NAAQS, EPA has not revoked the standard. 	

The proposed revisions would modify paragraphs (c) and (d) of the rule to remove the following counties and parts of counties (as shown in the right-hand column of Table 2):

- Triad Area (Greensboro-Winston Salem-High Point):

- All of Davidson and Forsyth Counties;
- Dutchville Township in Guilford County; and
- The part of Davie County bounded by the Yadkin River, Dutchmans Creek, North Carolina Highway 801, Fulton Creek and back to the Yadkin River
- Triangle Area (Raleigh-Durham-Chapel Hill):
 - All of Durham, Granville, and Wake Counties; and
- Metrolina Area (Charlotte-Gastonia-Salisbury, NC and Rock Hill, SC):
 - Cabarrus County: Township of Gold Hill;
 - Gaston County: Township of Cherryville;
 - Lincoln County: Townships of Howards Creek and North Brook;
 - Rowan County: Townships of Cleveland, Morgan, Mount Ulla, and Scotch Irish; and
 - Union County: Townships of Buford, Jackson, Lanes Creek, and New Salem.

The proposed rule revisions add to paragraph (c), the following counties and townships in the Charlotte area that are covered by a maintenance plan for the 2008 ozone NAAQS:

- Cabarrus County: Townships of Central Cabarrus, Concord, Georgeville, Harrisburg, Kannapolis, Midland, Mount Pleasant, New Gilead, Odell, Poplar Tent, and Rimertown;
- Gaston County: Townships of Crowders Mountain, Dallas, Gastonia, Riverbend, and South Point;
- Lincoln County: Townships of Catawba Springs, Lincolnton, and Ironton;
- Rowan County: Townships of Atwell, China Grove, Franklin, Gold Hill, Litaker, Locke, Providence, Salisbury, Steele, and Unity; and
- Union County: Townships of Goose Creek, Marshville, Monroe, Sandy Ridge, and Vance.

Note that for the Charlotte area, all townships in Mecklenburg County and the townships of Davidson and Coddle Creek in Iredell County are retained in paragraph (c) of the rule without any changes.

The DAQ is also proposing clarifying revisions to paragraph (d) of the rule to remove the counties for the Charlotte area (because they are included under paragraph (c)), and update the calendar year for starting reporting from 2007 to 2017 to coincide with the year during which revisions to the rule would be adopted.

3.2 Impact of Proposed Revisions to the Rule on NO_x and VOC Emissions

The proposed revisions to the rule only reduce an administrative reporting requirement on affected facilities; the proposed revisions do not change any emissions control requirements. Currently, there are 55 non-Title V facilities in the counties and areas listed in paragraph (c) of the rule that are subject to the annual emissions reporting and certification requirements. The proposed rule change would remove the annual emissions reporting and certification requirements for 43 facilities. For the Charlotte area, there are eight non-Title V facilities that

are subject to the annual emissions statement requirements under the current rule and those same eight facilities will need to continue to report under the revised rule.

All of the non-Title V facilities that would no longer be subject to the rule due to the proposed rule changes are permitted as “synthetic minor” or “small” sources. Under North Carolina’s operating permit rules (15A NCAC 02Q .0300), the facilities are required to document their emissions whenever they apply for a permit modification or renewal. Facilities with an operating permit classified as synthetic minor or small are required to renew their permits every eight years. In addition, the DAQ’s compliance staff inspect facilities with a synthetic minor permit once each year and facilities with a small source permit once every two years. Thus, the DAQ’s compliance staff would identify any increases in emissions and work with the facility to ensure that the facility maintained compliance with its operating permit.

In addition, the DAQ will continue to track NO_x and VOC emissions from the non-Title V facilities in its emissions inventory system to maintain an on-going record of actual emissions to comply with the triennial emissions reporting requirements of EPA’s Air Emissions Reporting Requirements rule. Although the non-Title V facilities would no longer be required to report their emissions to the DAQ annually, the facilities are still required to comply with their operating permits and avail themselves to inspections by the DAQ’s compliance staff. Therefore, the DAQ does not expect any increases in emissions from the non-Title V facilities due to the proposed rule changes.

4.0 NON-INTERFERENCE WITH THE OZONE NAAQS

All of North Carolina is designated attainment of the 1997, 2008, and 2015 8-hour ozone NAAQS (see Figure 1). Through October 31, 2017, North Carolina does not have a single air quality monitor violating the 2015 8-hour ozone standard of 70 ppb. The ozone design values for the counties proposed to be removed from the annual emissions statement reporting requirements in paragraph (c) of the rule range from 61 to 68 ppb showing compliance with the current standard.

Although removing the non-Title V facilities from the rule would decrease the frequency by which facilities report NO_x and VOC emissions, the proposed rule revisions do not affect any emissions control requirements for the facilities. Any increase in NO_x or VOC emissions at the affected facilities would be identified and addressed through the DAQ’s compliance inspection, and permit modification and renewal programs. Therefore, the proposed rule revisions are not expected to have any impact on ozone pollution in the state. For the Charlotte area that is maintenance for the 2008 8-hour ozone NAAQS, non-Title V facilities will continue to certify their NO_x and VOC emissions annually.

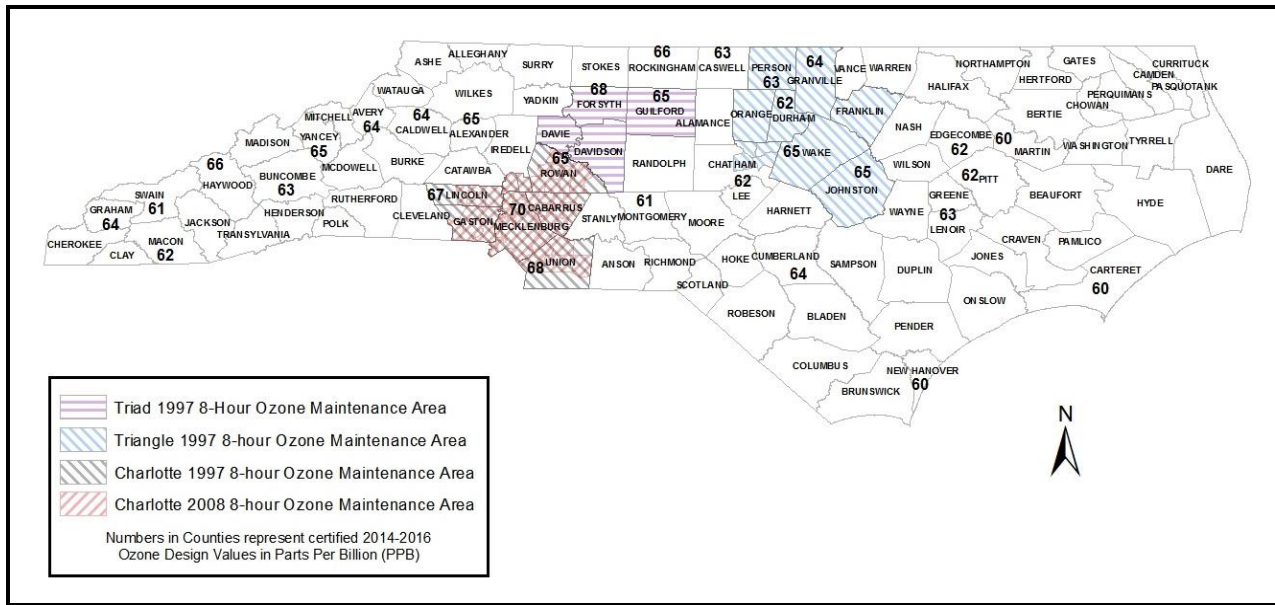


Figure 1. 8-Hour Ozone Air Quality Data for Monitoring Sites in North Carolina

5.0 NON-INTERFERENCE WITH NO₂, PM, CO, SO₂, AND LEAD NAAQS

The proposed revisions to North Carolina’s annual emissions reporting rule would only affect the reporting of NO_x and VOC emissions. Since NO_x and VOC emissions are precursors to NO₂ and PM_{2.5} formation, the following briefly summarizes North Carolina’s attainment status with respect to the NO₂ and PM_{2.5} NAAQS. However, the proposed rule changes will not increase NO_x or VOC emissions in any of the maintenance areas for the 1997 or 2008 ozone standards; therefore, the proposed rule changes have no impact on the NO₂ or PM_{2.5} NAAQS.

The 2010 1-hour NO₂ NAAQS is set at 100 ppb, based on the 3-year average of the 98th percentile of the yearly distribution of 1-hour daily maximum concentrations. The annual standard of 53 ppb is based on the annual mean concentration. All NO₂ monitors in the state are measuring below the annual NO₂ standard, and all near-road monitors are measuring below the 1-hour NO₂ standard.

The EPA revised the annual PM_{2.5} NAAQS on December 14, 2012 by lowering the primary (health-based) standard to 12.0 micrograms per cubic meter (µg/m³) from the previous 15.0 µg/m³ standard. The EPA did not revise the secondary annual PM_{2.5} standard of 15.0 µg/m³ set in 1997, or the 24-hour primary and secondary PM_{2.5} standards of 35 µg/m³ set in 2006. In 2014, EPA’s Administrator determined that “no area in North Carolina violated the 2012 primary annual PM_{2.5} standard or contributes to a nearby violation of the standard.” North Carolina is in attainment with the 2012 PM_{2.5} NAAQS throughout the state.

North Carolina is attaining the 2011 CO and 2008 lead NAAQS statewide. For large SO₂ sources subject to the SO₂ Data Requirements Rule, North Carolina is on track to demonstrate compliance through modeling or monitoring. All remaining areas are recommended to be

designated attainment. The EPA is expected to take a formal action on these areas and certain modeled/monitored areas by December 31, 2017. The proposed rule changes have no impact on CO, SO₂, and lead emissions and, therefore, no impact on the NAAQS for these pollutants.

6.0 CONCLUSION

The proposed revisions to the annual emissions reporting rule (15A NCAC 02Q .0207) will remove five full counties (Davidson, Durham, Forsyth, Guilford, and Wake) and portions of eight other counties (Davie, Granville, Cabarrus, Gaston, Iredell, Lincoln, Rowan, and Union) from the annual emissions statement certification requirements of Subpart 2, Section 182(a)(3)(B) of the CAAA. The proposed revisions will remove the administrative burden associated with preparing and submitting emissions statements to the DAQ on the owners or operators of 43 non-Title V facilities located in the counties. The proposed revisions will not affect any NO_x or VOC control requirements for the facilities.

The DAQ tracks NO_x and VOC emissions for non-Title V facilities through compliance inspections and the permit modification and renewal processes. Therefore, although the rule revisions would remove annual emissions reporting by the facilities in certain counties, the DAQ believes that this change will have no impact on the emissions and air quality in the areas that are maintenance for the 1997 8-hour ozone NAAQS. For the Charlotte area that is maintenance for the 2008 8-hour ozone NAAQS, non-Title V facilities will continue to certify their NO_x and VOC emissions annually.

For these reasons, the DAQ concludes that revisions to paragraphs (c) and (d) of the annual emissions reporting rule will not interfere with continued attainment or maintenance of any applicable NAAQS. With this submission, the North Carolina DAQ believes the requirements of Section 110(l) of the CAAA relative to the proposed revisions to the emissions reporting rule have been met. The DAQ requests that EPA approve the proposed revisions to the 15A NCAC 02Q .0207 rule and remove the emissions statement reporting requirement for non-Title V facilities from North Carolina's maintenance SIPs for the 1997 8-hour ozone NAAQS.