



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL ABRACZINSKAS
Director

May 10, 2019

Mary S. Walker, Acting Regional Administrator
USEPA Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Subject: State Implementation Plan Revisions to revise 15A NCAC 02D .0902, *Applicability*, to narrow the Applicability of Work Practices for Sources of Volatile Organic Compounds from Statewide to Apply Only to the Metrolina Maintenance Area for the 1997 8-Hour Ozone Standard

Dear Ms. Walker:

On September 8, 2016, the North Carolina Environmental Management Commission (EMC) amended Rule 15A NCAC 02D .0902, *Applicability*, which was the subject of a public hearing held on May 25, 2016, in Raleigh, North Carolina. The rule action was subsequently approved by the North Carolina Rules Review Commission (RRC) at its October 20, 2016, meeting and became state-effective on November 1, 2016. Enclosed are the Clean Air Act (CAA) Section 110(l) noninterference demonstration and hearing record. The final rule is included in Attachment A of the noninterference demonstration.

15A NCAC 02D .0902 defines the general applicability of the volatile organic compound (VOC)-related rules in 15A NCAC 02D Section .0900, *Volatile Organic Compounds*, in terms of thresholds, geographic extent, and attainment status of a location relative to the ozone National Ambient Air Quality Standards (NAAQS). Specifically, this rulemaking activity was undertaken to narrow the applicability of 15A NCAC 02D .0958, *Work Practices for Sources of Volatile Organic Compounds*, to only the Metrolina maintenance area for the 1997 8-hour ozone standard. The work practices in 15A NCAC 02D .0958 include actions for facility personnel to follow to minimize evaporative losses while working with volatile solvents.

The proposed revisions to 15A NCAC 02D .0902 would result in little to no increase in VOC emissions throughout North Carolina and would not interfere with ongoing attainment or maintenance of any of the NAAQS. Also, North Carolina is "NOx limited" with respect to tropospheric ozone formation. Based on 20 years of experience and scientific research, North Carolina's approach to control anthropogenic nitrogen oxide emissions instead of anthropogenic VOC emissions has proven to be the most effective method for reducing ozone in the state. As such, the DAQ has identified that the statewide applicability of 15A NCAC 02D .0958 is an unnecessary burden associated with permitting and compliance of facilities in areas outside the Metrolina maintenance area for the 1997 8-hour ozone standard. 15A NCAC 02D .0958 will continue to be applied in the Metrolina maintenance area for the 1997 8-hour ozone standard to comply with the anti-backsliding requirements of CAA Section 110(l).



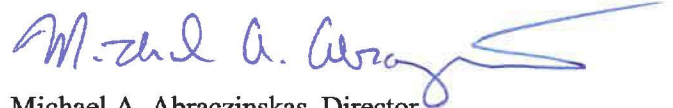
Mary S. Walker
May 10, 2019
Page 2

On April 4, 2019, the DAQ issued a public notice announcement, in accordance with 40 CFR 51.102, indicating that the *“North Carolina Clean Air Act Section 110(l) Noninterference Demonstration for Narrowing of the Applicability of Work Practices for Sources of Volatile Organic Compounds from Statewide to Apply Only to the Metrolina Maintenance Area for the 1997 8-Hour Ozone Standard”* was available for public comment and posted on the DAQ website for review. The public notice announcement also indicated that anyone may request a public hearing on the noninterference demonstration. The public comment period for the document was open from Thursday, April 4, 2019, through Monday, May 6, 2019.

In addition to posting on the website, the public notice announcement for the noninterference demonstration 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. The noninterference demonstration was also made available for in person review during normal business hours at the DAQ Central Office in Raleigh and affected Regional Offices.

We look forward to your review and approval of the November 1, 2016, state-effective version of 15A NCAC 02D .0902 by utilizing the associated hearing record and noninterference demonstration exhibiting that the DAQ has in good faith addressed the requirements of CAA Section 110(l) relative to its revisions. If you should have any questions, please contact Patrick Knowlson of my staff at (919) 707-8711 or patrick.knowlson@ncdenr.gov.

Sincerely,



Michael A. Abraczinskas, Director
Division of Air Quality, NCDEQ

MAA/mfd

Enclosures

cc: Michael Pjetraj, DAQ
Randy Strait, DAQ
Evan Adams, USEPA (Hardcopy and CD)
Lynorae Benjamin, USEPA
Jane Spann, USEPA
William Barnette, Forsyth County Office of Environmental Assistance and Protection
Leslie Rhodes, Mecklenburg County Air Quality
David Brigman, Western Regional Air Quality Agency