Appendix C

Public Notice Report, Comments Received and Responses
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Public Notice Report
For the

Redesignation Demonstration and Maintenance Plan for the Charlotte-Gastonia-Salisbury, North Carolina 2008 8-Hour Ozone Marginal Nonattainment Area, and

Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties

Introduction
On March 9, 2015, a pre-hearing version of the “Redesignation Demonstration and Maintenance Plan for Charlotte-Gastonia-Salisbury, North Carolina 2008 8-Hour Ozone Marginal Nonattainment Area” and the “Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties” were released for public comment. A request for public hearing, in accordance with 40 CFR 51.102, and the public comment period were published on the North Carolina Division of Air Quality (DAQ) website, as well as to email distribution lists managed by the DAQ. The public comment period was open from March 9, 2015 through April 10, 2015. No requests for a public hearing were received. The public comment period elicited comments from the United States Environmental Protection Agency (EPA) and the North Carolina Petroleum and Convenience Marketers (NCPCM).

Background
The area surrounding Charlotte-Gastonia-Salisbury, North Carolina, called the Charlotte nonattainment area, was designated as marginal nonattainment for the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) on May 21, 2012 (77 Federal Register (FR) 30088). The Charlotte nonattainment area includes the entire county of Mecklenburg and parts of Cabarrus, Gaston, Iredell, Lincoln, Rowan and Union counties in North Carolina, and the portion of York County, South Carolina that is adjacent to the Charlotte nonattainment area for the 2008 8-hour ozone NAAQS. The nonattainment designation was an action taken by the EPA under Section 107(d) of the Clean Air Act (CAA). The CAA requires that some area be designated as nonattainment if a monitor is found to be in violation of a NAAQS. The EPA took designation action in 2012 based on 2009-2011 design values. At that time, the design value for the Charlotte area was 0.079 parts per million (ppm); which exceeded the 8-hour ozone standard of 0.075 ppm.

There are currently six ozone monitors located throughout the Charlotte nonattainment area and one monitor located in York County, South Carolina, just outside of the nonattainment area. The latest design value for the nonattainment area is 0.073 ppm based on the data from 2012-2014, and is therefore in attainment of the 2008 8-hour ozone NAAQS, and the area is eligible to be considered for redesignation to attainment.
The State of North Carolina has implemented permanent and enforceable reductions in ozone precursor emissions in the Charlotte area. In addition, Mecklenburg County Air Quality (MCAQ) has implemented actions to reduce ozone precursor emissions. This combination of state, federal, and local actions has resulted in cleaner air in the Charlotte nonattainment area, and the anticipated future benefits from these programs are expected to result in continued maintenance of the 2008 8-hour ozone NAAQS in this region. State actions include the Clean Smokestacks Act; the on-board diagnostic vehicle inspection and maintenance program that began on July 1, 2002; and voluntary programs to reduce emissions from diesel engines.

Several federal actions have resulted in lower emissions throughout the eastern portion of the country. For on-road and nonroad vehicles, federal actions include the Tier 2 engine standards for light- and medium-duty vehicles, heavy-duty engine standards, the low-sulfur gasoline and diesel requirements, and off-road engine standards. For stationary sources, federal actions include the Mercury and Air Toxics rule for electricity generating units (EGUs) and the National Emissions Standards for Hazardous Air Pollutants for industrial, commercial and institutional boilers and reciprocating internal combustion engines. In addition, there are several federal actions that will be implemented starting in 2015. These actions will provide for additional nitrogen oxide (NOx) emissions reductions in and near the Charlotte nonattainment area. For EGU’s, the future federal actions include compliance with the Cross State Air Pollution Rule and the Tennessee Valley Authority consent decree. For on-road vehicles, the future federal actions include compliance with the Tier 3 vehicle emissions and fuel standards and corporate average fuel economy standards for on-road vehicles.

North Carolina is requesting that the EPA redesignate the Charlotte nonattainment area to attainment. The monitoring data clearly shows that the region has attained the 2008 8-hour ozone standard, and the maintenance demonstration shows that the future emission inventories are expected to be lower than the base year inventory through the implementation of the various control measures listed above.

In addition, the DAQ has included a separate request for the EPA to consider relaxation of the current 7.8 psi RVP requirement for Mecklenburg and Gaston Counties subject to the summertime (June 1 through September 15) gasoline volatility standard contained in 40 CFR 80.27(a)(2). Approval of this request will enable 9.0 psi gasoline to be distributed in the entire Charlotte maintenance area throughout the summer. The current requirement of 7.8 psi RVP standard was put in place by the EPA to control emissions of volatile organic compounds. Current science tells us that the most effective method to control ozone formation in the Southeast is through reductions in NOx emissions. The current RVP standard results in higher fuel cost that adversely affects businesses and consumers, while providing limited environmental benefits in this area.

The redesignation request and maintenance plan presents the results of an in-depth DAQ analysis, which indicates that relaxation of the RVP standard in the Charlotte maintenance area would not interfere with the attainment or maintenance of the NAAQS. Ambient air quality data for the most recent three year period (2012-2014) demonstrate that the Charlotte maintenance area has continued to maintain the 1997 8-Hour ozone standard and has now measured...
attainment of the 2008 8-hour ozone standard. The area also continues to meet the NAAQS for all other criteria air pollutants.

**Summary of Public Comment Period**

The public notice comment period was open from March 9, 2015 through April 10, 2015. There were no requests for a public hearing. Comments were received from the EPA and the NCPCM, which are attached following this report.

The following is a summary of the pertinent comments raised during the public comment period, along with the DAQ’s response.

**EPA comment:** We have completed our review of the prehearing submittal and offer no comments at this time.

**DAQ response:** The DAQ acknowledges this comment. No revisions are required.

**NCPCM comment:** The NCPCM supports the DAQ’s request to the EPA to relax the summertime RVP standard from 7.8 psi to 9.0 psi in Gaston and Mecklenburg Counties.

**DAQ response:** The DAQ acknowledges this comment. No revisions are required.

**Attachments to Public Notice Report**

1) Written comments from R. Scott Davis, Chief of the Air Planning and Implementation Branch, EPA, dated April 7, 2015.

2) Written comments received from Gary F. Harris on behalf of the North Carolina Petroleum and Convenience Marketers, dated March 25, 2015.

3) Public Notice Announcement by the North Carolina Department of Environment and Natural Resources.
April 7, 2015

Sheila C. Holman, Director
Division of Air Quality
North Carolina Department of
Environment and Natural Resources
1641 Mail Service Center
Raleigh, North Carolina 27699-1641

Dear Ms. Holman:

Thank you for your letter dated March 11, 2015, transmitting a prehearing package regarding the Charlotte-Gastonia-Salisbury 2008 8-hour ozone marginal nonattainment and the 110(1) Non-Interference Demonstration to support the Gasoline Reid Vapor Pressure Standard relaxation in Gaston and Mecklenburg Counties. These revisions are the subject of a public comment period beginning March 9, 2015, with written comments due by the close of business on April 10, 2015. We have completed our review of the prehearing submittal and offer no comments at this time.

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 Nacosta C. Ward at (404) 562-9140.

Sincerely,

R. Scott Davis
Chief
Air Planning and Implementation Branch
March 25, 2015

Mr. Randy Strait
NC Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641

RE Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties

Dear Mr. Strait:

The North Carolina Petroleum & Convenience Marketers (NCPCM) supports the North Carolina Department of Air Quality (NCDAQ) in requesting that the United States Environmental Protection Agency (US EPA) relax the current 7.8 psi Reid Vapor Pressure (RVP) motor gasoline volatility requirement for two Metrolina counties during the summertime ozone season. The NC DAQ maintenance plan document demonstrates that the current federal gasoline standard is unnecessary to maintain the ozone standard, and the RVP relaxation to 9.0 psi gasoline will not interfere with attainment of the current ozone standard.

In North Carolina, an abundance of biogenic Volatile Organic Compounds (VOCs-90%) makes the majority of the State a nitrogen oxides (NOx) limited environment for the formation of ozone. Since reductions in man-made VOC emissions do not reduce ozone levels, having a lower Reid Vapor Pressure (RVP) motor gasoline during the summer months from June-September is not an effective control measure for ozone. In addition, it results in higher fuel costs, impacting government, businesses and consumers at the pump.

Please know that our Board and staff are ready to assist the Department in any way necessary to continue this effort. Thank you again.

Respectfully,

Gary F. Harris
Executive Director

Via electronically: daq.publiccomments@ncdenr.gov
NORTH CAROLINA DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES
PUBLIC NOTICE

PURPOSE:
The North Carolina Department of Environment and Natural Resources, Division of Air Quality (NCDAQ), hereby gives notice regarding its Pre-hearing Draft of the following two items:

1. Redesignation Demonstration and Maintenance Plan for the Charlotte-Gastonia-Salisbury, North Carolina 2008 8-Hour Ozone Marginal Nonattainment Area for North Carolina, and
2. Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties.

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 Pre-hearing Draft of the Redesignation Demonstration and Maintenance Plan for the Charlotte-Gastonia-Salisbury, North Carolina 2008 8-Hour Ozone Marginal Nonattainment Area for North Carolina, and/or the Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties.

Written comments should be received by no later than Friday, April 10, 2015.

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 Friday, April 10, 2015, and addressed to Randy Strait, Division of Air Quality, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641.

INFORMATION:

Comments can be submitted electronically to:
daq.publiccomments@ncdcr.gov
(Please type “Charlotte 2008 8-Hour Ozone SIP” in the subject line)

Comments can be mailed or faxed to:
Randy Strait
NC Division of Air Quality
1641 Mail Service Center
Raleigh, NC  27699-1641
Fax: (919) 707-8721

The Pre-hearing Draft of the Redesignation Demonstration and Maintenance Plan for the Charlotte-Gastonia-Salisbury, North Carolina 2008 8-Hour Ozone Marginal Nonattainment Area for North Carolina, and the Clean Air Act Section 110(l) Non-Interference Demonstration to Support the Gasoline Reid Vapor Pressure (RVP) Standard Relaxation in Gaston and Mecklenburg Counties may be reviewed in person during normal business hours at the following North Carolina Department of Environment and Natural Resources, Division of Air Quality offices:

Raleigh Central Office, Planning Section (919) 707-8403
Mooresville Regional Office (704) 663-1699

Date: 3/16/15

Sheila C. Holman, Director