

**Agenda Item:** 15-13 **Request for Approval to Proceed to Public Comment on S.L. 2013-413 (H74) Periodic Review of Rules Report for 15A NCAC 02D and 02Q**

**Explanation:**

The Division of Air Quality (DAQ) requests the Air Quality Committee's (AQC) approval to proceed to public comment with the review of the air quality rules in 15A NCAC 02D, Air Pollution Control Requirements, and 02Q, Air Quality Permit Procedures. The rules review follows the procedure mandated by S.L. 2013-413 (formerly HB74) incorporated into the Administrative Procedures Act. The review covers all existing 353 rules in the air quality program: 15A NCAC 02D (263 rules) and 02Q (90 rules).

An initial determination of "necessary with substantive public interest" is proposed for 322 of the rules which cover the majority of the EMC's air quality programs. An initial determination of "necessary without substantive public interest" is proposed for 4 of the rules. An initial determination of "unnecessary" is proposed for 27 of the rules. If approved to proceed by the EMC in March, the DAQ will conduct a public comment period on the report on these rules and plans to return to the AQC in July and then to the EMC in September with a final recommendation for the EMC's action.

**Recommendation:**

The Director recommends that the EMC approve the 15A NCAC 02D and 02Q rules initial classification report to proceed to the public comment step of rules review required by S.L. 2013-413.