

Agenda Item No. 2: **Petition for Rulemaking to Limit North Carolina's Carbon Dioxide Emissions to Protect a Stable Climate System and Preserve the Natural Resources of North Carolina**

Explanation: On November 14, 2017, the Division of Air Quality (DAQ) received a petition for rulemaking from James P. "Ryke" Longest, Jr., Director of the Duke Environmental Law & Policy Clinic, on behalf of three youth petitioners, Hallie Turner of Raleigh, Emily Liu of Chapel Hill, and Arya Pontula of Raleigh. The petition addresses carbon dioxide emissions in North Carolina and requests that the Environmental Management Commission (EMC) initiate rulemaking to eliminate statewide carbon dioxide emissions by 2050.

After review by the EMC Chairman, DAQ staff, and EMC counsel in accordance with the criteria outlined in 15A NCAC 02I .0501, *Form and Contents of Petition*, the petition for rulemaking was deemed to be complete and was referred to the Air Quality Committee (AQC) for review in accordance with 15A NCAC 02I .0502, *Review by a Committee of the Commission*. 15A NCAC 02I .0502 requires the AQC to review the petition and recommend action to the full EMC.

Notice was sent to interested parties and to the Secretary of State that a special called AQC meeting has been scheduled for Wednesday, February 7, 2018 at 12:30 p.m. Notice of the special AQC meeting date has been provided to the petitioners, and they have been afforded the opportunity to present their petition in person before the AQC. Notice of meeting and a copy of the agenda has also been provided to those individuals on the DAQ Rules Stakeholders list.

In accordance with 15A NCAC 02I .0502, interested parties may request the opportunity to make an oral presentation on the subject petition for rulemaking. The AQC Chairman ultimately decides who will be allowed to speak before the AQC on the petition and may decide to only allow one presenter to provide an opposition viewpoint to the rulemaking activities proposed in the Petition. All interested parties wishing to speak at the February AQC meeting should submit an official request to Michael Abraczinskas, DAQ Director, at michael.abraczinskas@ncdenr.gov, by 12:00 p.m. on January 29, 2018. Requests can also be submitted by mail to 1641 Mail Service Center, 217 W. Jones Street, Suite 4000, Raleigh, NC 27609-1641, but must be received by 12:00 p.m. on January 29, 2018. Each request shall:

- (1) state the interest of the person;
- (2) state the person's position on the petition for rulemaking; and
- (3) be accompanied by supporting materials.

Recommendation: The EMC Chairman recommends that the AQC follow the procedures outlined in 15A NCAC 02I .0501 through .0503 in reviewing the complete petition for rulemaking and then make a recommendation for action on the petition by the full EMC.