

**Agenda Item:**            **Hearing Officer's Report on Revision to Ambient Standard for Particulate Matter (PM2.5) (524)**

**Explanation:**            A public hearing was held in Raleigh, NC on July 9, 2014, to take public comments on amendments to Rule 15A NCAC 02D .0410 to update the ambient standard for Particulate Matter (PM2.5). Mr. Ray Stewart the Compliance Supervisor of the Division of Air Quality's Winston-Salem Regional Office, was appointed and acted as the hearing officer for this hearing. The public comment period was closed on June 15, 2015.

On Dec. 14, 2012, EPA further strengthened the PM2.5 (particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers) National Ambient Air Quality Standard (NAAQS) by revising the level of the annual arithmetic mean concentration from 15.0  $\mu\text{g}/\text{m}^3$  to 12.0  $\mu\text{g}/\text{m}^3$  while maintaining the current 24-hour average concentration of 35.0  $\mu\text{g}/\text{m}^3$ .

The proposed rule amendments update the state rule to reflect the current NAAQS value. State implementation plans (SIPs) demonstrating the state has the infrastructure in place to address attainment and maintenance of the NAAQS are required to be submitted to USEPA within three years of revision of the NAAQS. The proposed amendments to 15A NCAC 02D .0410 are necessary to reflect the revised NAAQS for PM2.5 in the state ambient air quality standards rule as part of that process.

Based on the 2010 – 2012 and subsequent ambient monitoring data, all counties in North Carolina are below the newly established 12  $\mu\text{g}/\text{m}^3$  national annual standard and the established daily 35  $\mu\text{g}/\text{m}^3$  standard.

On December 18, 2014, EPA determined that no area within North Carolina violates the 2012 standard or contributes to a nearby violation of the standard and designated all counties in North Carolina unclassifiable/attainment for the 2012 PM2.5 NAAQS as published in the Federal Register January 15, 2015 effective April 1, 2015.

The Office of State Budget and Management (OSBM) reviewed an analysis for the proposed amendment to Rule 15A NCAC 02D .0410 in accordance with G.S. 150B-19.1, 150B-21.4, and E.O. 70. The analysis was certified by OSBM on August 15, 2014 and the proposed rule amendment was determined to not require a fiscal note. The EMC approved the analysis at its November 2014 meeting.

Only a letter from US EPA Region 4 noting that they had completed their preliminary review of the proposed amendments and had no comments was received during the public comment period. No changes were made to the proposed rule as presented in Chapter IV of this hearing record.

**Recommendation:**        The Hearing Officer recommends that the proposed amendments as presented in

