



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 27 2010

The Honorable Mark Sanford
Governor of South Carolina
P.O. Box 12267
Columbia, South Carolina 29211

Dear Governor Sanford:

On November 13, ²⁰⁰⁹~~2008~~, and April 29, ²⁰¹⁰~~2009~~, the South Carolina Department of Health and Environmental Control (SC DHEC) provided the U.S. Environmental Protection Agency's (EPA's) Region 4 Office with revised state implementation plan submissions regarding the attainment demonstration requirement for the 1997 8-hour ozone national ambient air quality standards (NAAQS) for the South Carolina portion of the bi-state Charlotte-Gastonia-Rock Hill, North Carolina-South Carolina nonattainment area (hereafter referred to as the bi-state Charlotte Area). We have reviewed these submissions and are making the determination that these submittals have met the requirements for completeness found in Section 110(k)(1) of the Clean Air Act (CAA).

Effective June 15, 2004, EPA designated the bi-state Charlotte Area as nonattainment for the 1997 8-hour ozone NAAQS, with a moderate classification. As a result of this nonattainment designation, by June 15, 2007, South Carolina was required to provide EPA with a plan for how its portion of the bi-state Charlotte Area would meet the requirement for the area to come into compliance with the NAAQS by June 15, 2010 (i.e., the attainment demonstration). On August 31, 2007, SC DHEC provided EPA with the required attainment demonstration but subsequently withdrew this submission on December 22, 2008.

On May 8, 2009, EPA issued a finding of failure to submit the 1997 8-hour ozone NAAQS attainment demonstration to South Carolina because of the withdrawal of the original attainment demonstration for South Carolina's portion of the bi-state Charlotte Area. *74 Fed. Reg.* 21550. This finding started an 18-month sanctions clock for two for one new source offsets; and six months later, highway sanctions, if the deficiency was not corrected. To correct this deficiency, South Carolina was required to provide a submission that EPA could deem complete pursuant to Section 110(k)(1) of the CAA and the "Criteria for Determining the Completeness of Plan Submissions," as described in 40 CFR Part 51, Appendix V.

EPA has reviewed the November 13, ²⁰⁰⁹~~2008~~, and April 29, ²⁰¹⁰~~2009~~, submissions that comprise South Carolina's attainment demonstration for the South Carolina portion of the bi-state Charlotte Area and has determined that these submissions meet the completeness determination requirements. Today's completeness determination for the attainment demonstration terminates both sanctions clocks; thus, sanctions will not take effect in this area as

a result of the finding of failure to submit previously made on May 8, 2009. EPA will publish a notice in the *Federal Register* announcing our completeness determination for the attainment demonstration and the termination of the sanctions clocks for the South Carolina portion of bi-state Charlotte Area in the very near future. A letter similar to this has also been sent to the State of North Carolina. EPA is currently reviewing the approvability of these submissions and will make its final determination on the approvability through rulemaking in the *Federal Register*.

Should you have any questions regarding this matter, please do not hesitate to contact me at (404) 562-8357 or have a member of your staff contact Kenneth R. Lapierre, Acting Director, Air, Pesticides and Toxics Management Division at (404) 562-9077.

Sincerely,



A. Stanley Meiburg
Acting Regional Administrator

cc: Mr. Robert W. King
SC DHEC Deputy Commissioner for Environmental Quality Control

Mr. Dee Freeman
Secretary
North Carolina Department of Environment and Natural Resources (NC DENR)

Mrs. Myra Reece
Chief of SC DHEC's Bureau of Air Quality

Mr. B. Keith Overcash, P.E.
Director of NC DENR's Division of Air Quality

Mr. Don Willard
Director of Mecklenburg County Air Quality