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July 17, 2012

Gwendolyn Keyes Fleming, Esq.
Regional Administrator
US EPA Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303-8909

Re: South Carolina Air Quality Implementation Plan, 2008 8-hour Ozone Infrastructure Requirements

Dear Ms. Fleming:

I am writing today to inform the United States Environmental Protection Agency (EPA) that the South Carolina Department of Health and Environmental Control (Department) has certified that the Clean Air Act (CAA) Sections 110(a)(1) and (2) requirements for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS) have been met and that the Department has properly public noticed our SIP amendment. We are again formally requesting that the EPA acknowledge this certification as a demonstration that the South Carolina Air Quality Implementation Plan (SIP) is adequate in addressing the 2008 8-hour ozone NAAQS.

During the Department's October 9, 2011, quarterly call with EPA Region 4 staff, the Department was informed that as long as their current SIP includes all of the required infrastructure elements to implement, maintain, and enforce the 2008 ozone NAAQS, states could rely on previous ozone infrastructure submittals. This reliance meant that states need only certify the current SIP as adequate in addressing the 2008 ozone NAAQS, and that public notice was not required. This was affirmed by the EPA in the July 13, 2011, (76 FR 41111) final rule approving the December 13, 2007, submission by the Department demonstrating that South Carolina meets the SIP requirements of Sections 110(a)(1) and (2) of the CAA for the 1997 ozone NAAQS. The final rule (76 FR 41111) stated that South Carolina's "infrastructure submission" provided to the EPA on December 13, 2007, addressed all the required infrastructure elements for the 1997 ozone NAAQS. Based on this final action, the Department believes our SIP is sufficient in addressing the necessary requirements for implementing, maintaining, and enforcing the 2008 ozone NAAQS and certified this belief to the EPA on October 24, 2011.

EPA Region 4, however, recently informed the Department of the need to public notice the certification letter that the Department originally submitted to the EPA on October 24, 2011. The Department published a "Notice of General Public Interest" on May 25, 2012, in order to afford the public the opportunity to comment on the certification and/or request a Public Hearing. The Department did not receive any comments or a request for a Public Hearing by the end of the

Appendix D

Copy of Legal Authority

LEGAL AUTHORITY¹

No plan for attaining a goal, the attainment of which is dependent upon regulatory action, can be used with any degree of effectiveness unless the legal framework is strong. Consequently, the Requirements for Preparation, Adoption, and Submittal of Implementation Plans, 40 CFR 51, as amended, define the necessary statutory powers which must be immediately available to states to carry out the responsibility to the Clean Air Act.

40 CFR 51.230 sets forth six specific requirements for State authority. The South Carolina Pollution Control Act, Act 1157 of 1970, as amended, S. C. Code Sections 48-1-10 thru - 350 (1976), provides the State's authority to respond to these requirements. The Attorney General of the State of South Carolina has given an opinion as to the adequacy of South Carolina laws, as follows:

Legal Authority Required 40 CFR 51	Adequacy of S. C. Law	S. C. Statutes Involved
(a) "Adopt emission standards and limitations and any other measures necessary for attainment and maintenance of national standards."	Adequate	S. C. Code Secs. 48-1-20, 48-1-50(23)
(b) "Enforce applicable laws, regulations, & standards, and seek injunctive relief."	Adequate	S. C. Code Sec. 48-1-50(1), (3), (4), (5), (11); Secs. 48-1-120, 48-1-130, 48-1-210, 48-1-320, 48-1-330.
(c) "Abate pollutant emissions on an emergency basis to prevent substantial endangerment to the health of persons, i.e., authority comparable to that available to the Administrator under section 305 of the Act."	Adequate	S. C. Code Sec. 48-1-290.
(d) "Prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which directly or indirectly results or may result in emissions of any air pollutant at any location which will prevent the attainment or maintenance of a national standard."	Adequate	S. C. Code Sec. 48-1-50(5), (10); Secs. 48-1-100, 48-1-110.
(e) "Obtain Information necessary to determine whether air pollution sources are in compliance with applicable laws, regulations, and standards, Including authority to require recordkeeping and to make inspections and conduct tests of air pollution sources."	Adequate	S. C. Code Sec. 48-1-50(10), (20), (22), (24).
(f) "Require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the State on the nature and amounts of emissions from such stationary sources; also authority for the State to make such data available to the public as reported and as correlated with any applicable emission standards or limitations."	Adequate	S. C. Code Secs. 48-1-50(22), 48-1-270.

¹ Section 2 of the EPA-approved South Carolina Air Quality Implementation Plan (SIP), which defines the State's statutory powers as required in 40 CFR 51.230.

Public Hearings

The South Carolina Pollution Control Act provides for notice and public hearings prior to action by the Board of Health and Environmental Control concerning adoption of regulations and standards, adoption or modification of final compliance dates, and other specified legal actions.

Additionally, Act 176 of 1977 enacted by the South Carolina General Assembly requires, among other things, that at least thirty days public notice be given before adoption, amendment or repeal of any rule. It also requires that the substance of the intended action or a description of the subjects and issues involved be made known. While this act escapes the actual requirement for a public hearing in each case, the two Acts taken together do impose the requirement of a thirty days notice of public hearing, assuring compliance with the requirements of 40 CFR 51.102, as amended.

Appendix C
South Carolina State Register
Notice of General Public Interest, May 25, 2012

UPON APPROVAL AND ENTRY OF THE AGREEMENTS BY THE COURT, ANY AND ALL CLAIMS BY ANY AND ALL PERSONS AGAINST SETTLING DEFENDANTS SEEKING CONTRIBUTION PROTECTION FOR MATTERS ENCOMPASSED BY THE AGREEMENT SHALL BE FORECLOSED.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE TO AMEND AIR QUALITY STATE IMPLEMENTATION PLAN

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

South Carolina Air Quality Implementation Plan:

The Department of Health and Environmental Control (Department) proposes to amend the South Carolina Air Quality Implementation Plan, also known as the State Implementation Plan, or SIP. Interested persons are invited to present their views in writing to Melinda C. Mathias; Division of Air Assessment, Innovations and Regulation, Bureau of Air Quality; 2600 Bull Street; Columbia, SC 29201. Comments may also be submitted via email to mathiamc@dhec.sc.gov. To be considered, comments must be received no later than 5:00 p.m. on June 25, 2012, the close of the comment period. The Department is also providing the public with the opportunity to request a public hearing on the proposed SIP amendment. As such, a public hearing has been scheduled for July 2, 2012, at 1 p.m. in the Wallace Room (3141), 2600 Bull Street, Columbia, South Carolina. The public is invited to attend. However, pursuant to 40 CFR 51.102 (2011), if the Department does not receive a request for a public hearing by the close of the comment period (June 25, 2012), the Department will cancel the hearing. If the Department cancels the public hearing, then the Department will notify the public at least one week prior to the scheduled hearing on the SIP Public Hearings webpage at: http://www.scdhec.gov/environment/baq/Regulation-SIPManagement/public_hearings.asp. Interested parties are also encouraged to contact Melinda C. Mathias at (803) 898-3269 or mathiamc@dhec.sc.gov for more information or to determine if the Department has cancelled the public hearing.

Synopsis:

The United States Environmental Protection Agency (EPA) recently informed the Department of the need to public notice a certification letter that the Department submitted to the EPA on October 24, 2011, to address the “infrastructure” SIP requirements under Clean Air Act (CAA) Sections 110(a)(1) and (2) for the 2008 ozone National Ambient Air Quality Standards (NAAQS). The infrastructure SIP requirements provide for the implementation, maintenance, and enforcement of the NAAQS. On March 27, 2008, the EPA issued the revised NAAQS for ozone. In September 2009, the EPA announced they were reconsidering the 2008 ozone NAAQS. On September 2, 2011, after several postponements of the final reconsideration, the President of the United States released a statement asking the EPA to withdraw the reconsideration. This move prompted the EPA to announce on September 22, 2011, its intention to proceed with certain required actions to implement the 2008 ozone NAAQS, to include infrastructure SIP submittals. During the Department’s October 9, 2011, quarterly call with EPA Region 4 staff, the Department was informed that as long as the current SIP includes all of the required infrastructure elements to implement, maintain, and enforce the 2008 ozone NAAQS, states could rely on previous ozone infrastructure submittals. This reliance meant that states need only certify the current SIP as adequate in addressing the 2008 ozone NAAQS, and that public notice was not required. This was affirmed by the EPA in the July 13, 2011, (76 FR 41111) final rule approving the December 13, 2007, submission by the Department demonstrating that South Carolina meets the SIP requirements of sections 110(a)(1) and (2) of the CAA for the 1997 ozone NAAQS. The final rule (76 FR 41111) stated that South Carolina’s “infrastructure submission” provided to the EPA on December 13, 2007, addressed all the required infrastructure elements for the 1997 ozone NAAQS. Based on this action, the Department believes our SIP is sufficient in addressing the

12 NOTICES

necessary requirements for implementing, maintaining, and enforcing the 2008 ozone NAAQS and certified such to the EPA on October 24, 2011. In this letter, the Department further applauded EPA's efforts to "simplify" the requirements for these types of SIP submittals by allowing states to certify their SIP adequacy. However, the EPA has since verbally notified the Department of its requirement to provide the public with the ability to comment on this certification. As such, the Department is providing the public with opportunity to comment on this certification and/or request a public hearing.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

ERRATA

May 25, 2012

The Department of Health and Environmental Control has conducted an audit of Regulation 61-62, Air Pollution Control Regulations and Standards, and is publishing these errata to correct errors in the regulations pertaining to 61-62.5, Standard 1 and 7.1. These corrections do not create new regulatory requirements, the corrections are nonsubstantive, do not change the legal meaning, and are made pursuant to regulation drafting guidelines to improve the overall quality of the Department's regulations.

R.61-62.5, Standard 1, Emissions from Fuel Burning Operations

State Register Doc. 4130, May 27, 2012

At R.61-62.5, Standard 1, (I)(C), add a serial comma after the word "duration" for consistency to read:

The opacity standards set forth above do not apply during startup or shutdown. Owners and operators shall, to the extent practicable, maintain and operate any source including associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions. In addition, the owner or operator of fuel burning sources except natural gas fired units, shall maintain a log of the time, magnitude, duration, and any other pertinent information to determine periods of startup and shutdown and make available to the Department upon request.

At R.61-62.5, Standard 1, (III)(A), replace the references "paragraph B" and "paragraph C of this Section" with "Section (III)(B)" and "Section (III)(C)," respectively, for citation consistency and clarity to read:

The maximum allowable discharge of sulfur dioxide (SO₂) from fuel burning operations shall be in accordance with a system of priorities as specified hereinafter in Section (III)(B). The classifications shall be delineated on a county basis. The maximum allowable discharge for the various classes is specified in Section (III)(C).

At R.61-62.5, Standard 1, (III)(B)(3), add codification denotations "a" through "c" for codification consistency and ease of use to read:

3. The following classifications are assigned:
 - a. Class I - Charleston County
 - b. Class II - Aiken County; Anderson County
 - c. Class III - All others

Appendix B

SIP Submittal Completeness Criteria Checklist

**Attachment B:
SIP Submittal Completeness Criteria Checklist**

SIP Submitted by: South Carolina

Date Submitted: July 13, 2012

Subject: Confirmation of 110(a)(2)(A)-(M) Ozone Infrastructure Elements of South Carolina SIP

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(A)	<p>Emissions limits and other control measures</p> <p>“...include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of this Act.”</p>	<p><i>Pollution Control Act, S.C. Code Ann. § 48-1-50(23) (et seq.)</i></p>	<p>Regulation 61-62.5, Standard No. 2, <i>Ambient Air Quality and General Requirements</i> (Initial EPA approval: 12/28/78)</p> <p>Regulation 61-62.1, <i>Definitions and General Requirements</i> (Initial EPA approval: 5/31/72)</p> <p>Regulation 61-30, <i>Environmental Protection Fees</i> (Promulgated June 23, 1995)</p>
§110(a)(2)(B)	<p>Ambient air quality monitoring/data system</p> <p>“...provide for establishment and operation of appropriate devices, methods, systems, and procedures necessary to monitor, compile, and analyze data on ambient air quality, and upon request, make such data available to the Administrator”</p>	<p>S.C. Code Ann. § 48-1-50(14) (<i>et seq.</i>)</p>	<p>Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (Initial EPA approval: 2/10/82)</p> <p>The South Carolina monitoring network (<i>2012 South Carolina Network Description and Ambient Air Network Monitoring Plan</i>) was approved October 12, 2011. The comment period for the 2013 plan ended July 5, 2012.</p>

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(C)	<p>Program for enforcement and control measures</p> <p>“...include a program to provide for the enforcement of the measures described in subparagraph (A) and regulation of the modification and construction of any stationary source within the areas covered by the plan as necessary to assure that national ambient air quality standards are achieved, including a permit program as required in parts C and D;”</p>	<p>S.C. Code Ann. § 48-1-50(10) (<i>et seq.</i>)</p> <p>S.C. Code Ann. § 48-1-50(11) (<i>et seq.</i>)</p>	<p>Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (Initial EPA approval: 2/10/82)</p> <p>Regulation 61-62.5, Standard No. 7.1, <i>Nonattainment New Source Review</i> (Initial EPA approval: 1/14/77)</p>

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(D)	<p>Interstate transport</p> <p>“contain adequate provisions—</p> <p>(i) prohibiting, consistent with the provisions of this title, any source or other type of emissions activity within the state from emitting any air pollutant in amounts which will--</p> <p>(I) contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to any such national primary or secondary ambient air quality standard, or</p> <p>(II) interfere with measures required to be included in the applicable implementation plan for any other State under part C to prevent significant deterioration of air quality or to protect visibility,</p> <p>(ii) insuring compliance with the applicable requirements of sections 126 and 115 (relating to interstate and international pollution abatement);”</p>	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	<p>Regulation 61-62.96, <i>Nitrogen Oxides (NOX) Budget Trading Program</i> {SC CAIR RULE, Direct Final Rule effective December 22, 2007*}</p> <p>Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i></p> <p>Regulation 61-62.5, Standard No. 7.1, <i>Nonattainment New Source Review</i></p> <p>The state submitted the Regional Haze Implementation Plan for incorporation into the SC SIP on December 17, 2007. June 7, 2012, EPA finalized a limited disapproval due to the remand by the U.S. Court of Appeals for the DC Circuit to EPA of the Clean Air Interstate Rule (CAIR). On June 28, 2012, EPA finalized a limited approval of the same SC SIP amendment to meet the monitoring and long-term strategy (LTS) requirements for reasonably attributable visibility impairment (RAVI) and is therefore rescinding the Federal Regulations previously approved into the SC SIP on July 12, 1985, and November 24, 1987.</p> <p>*CAIR was intended to have been replaced by the Cross State Air Pollution Rule (CSAPR) and future revised rulemakings to address revisions to the NAAQS. However, as the CSAPR is currently stayed and under litigation, CAIR is currently state and federally effective. CAIR continues to address emission activities that have been identified as contributing to nonattainment or interfering with maintenance by any other state.</p>

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(E)(i)	<p>Adequate resources</p> <p>“...provide (i) necessary assurances that the state (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the state or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under state (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of federal or state law from carrying out such implementation plan or portion thereof);”</p>	<p>S.C. Code Ann. § 48-1-50(12) (<i>et seq.</i>)</p> <p><i>Environmental Protection Fund Act of 1993</i>, S.C. Code Ann. § 48-1-50 (<i>et seq.</i>)</p> <p><i>Administrative Procedures Act</i>, S.C. Code Ann. § 1-23-40 (<i>et seq.</i>)</p>	<p>These elements, 110(a)(2)(E)(i-iii), are met when EPA does a completeness determination for each SIP submittal. Each submittal provides for adequate personnel, funding, and legal authority under state law to carry out their SIPs and related issues. This information is understood and contained in all prehearing and final SIP submittal packages in the historical record of the rule. SC does not have any local agencies that these requirements would affect.</p> <p>Regulation 61-30, <i>Environmental Protection Fees</i> (Promulgated June 23, 1995)</p> <p>** June 6, 2012, EPA proposed to approve a SC SIP amendment which was submitted April 3, 2012, as meeting the requirements of section 128 of the CAA and supports EPA’s proposed approval of the section 110(a)(2)(E)(ii) for South Carolina’s infrastructure submissions for the 1997 and 2006 PM2.5 NAAQS. Once approved as final in the SIP, these elements will be addressed for all NAAQS.</p>
§110(a)(2)(E)(ii)	<p>“(ii) requirements that the state comply with the requirements respecting state boards under section 128, and”</p>	<p>S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)</p> <p>S.C. Code Ann. § 8-13-100(31) (<i>et seq.</i>)**</p> <p>S.C. Code Ann. § 8-13-730 (<i>et seq.</i>)**</p> <p>S.C. Code Ann. § 8-13-700(A) and (B)(1)-(5)(<i>et seq.</i>)**</p>	

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(E)(iii)	“(iii) necessary assurances that, where the state has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the state has responsibility for ensuring adequate implementation of such plan provision;”	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	
§110(a)(2)(F)	<p>Stationary source monitoring system</p> <p>“...require, as may be prescribed by the Administrator—</p> <p>(i) the installation, maintenance, and replacement of equipment, and the implementation of other necessary steps by owners or operators of stationary sources to monitor emissions from such sources,</p> <p>(ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and</p> <p>(iii) correlation of such reports by the state agency with any emission limitations or standards established pursuant to this Act, which reports shall be available at reasonable times for public inspection;”</p>	S.C. Code Ann. § 48-1-50 (22) (<i>et seq.</i>)	<p>Regulation 61-62.1, <i>Definitions and General Requirements</i> (Initial EPA approval: 5/31/72)</p> <p>On June 14, 2010, the Department submitted a SIP revision to EPA for amendments to R. 61-62.1 that incorporated the provisions of the rule known as the Air Emissions Reporting Requirements (AERR) (73 FR 76540, December 17, 2008). Effective May 21, 2010, AERR replaced the incorporation of the Consolidated Emissions Reporting Rule (CERR) in the State Regulation.</p>
§110(a)(2)(G)	<p>Emergency power</p> <p>“...provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority;”</p>	<p>S.C. Code Ann. § 48-1-290 (<i>et seq.</i>)</p> <p><i>Administrative Procedures Act</i>, S.C. Code Ann. § 1-23-130 (<i>et seq.</i>)</p>	Regulation 61-62.3, <i>Air Pollution Episodes</i> (Initial EPA approval: 5/31/72)

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(H)	<p>Future SIP revisions</p> <p>“...provide for revision of such plan— (i) from time to time as may be necessary to take account of revisions of such national primary or secondary ambient air quality standard or the availability of improved or more expeditious methods of attaining such standard, and (iii) except as provided in paragraph (3)(C), whenever the Administrator finds on the basis of information available to the Administrator that the plan is substantially inadequate to attain the national ambient air quality standard which it implements, or to otherwise comply with any additional requirements established under this Act;”</p>	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	This information typically comes in the cover letter is of each SIP submission and is verified under the completeness criteria for SIP submittals.
§110(a)(2)(I)	<p>Nonattainment</p> <p>“...in the case of a plan or plan revision for an area designated as a nonattainment area, meet the applicable requirements of part D (relating to nonattainment areas);”</p>	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	<p>Extant SIPs meet this requirement, through (1) the SIP submittals and subsequent approval of those plans redesignating areas to attainment, and (2) updates to maintenance plans.</p> <p>EPA has designated all of South Carolina as unclassifiable/attainment for the 2008 ozone standard, except for a portion of York County. Although the monitor in York County is meeting this standard, EPA included the eastern, urbanized area of York County in the Charlotte-Rock Hill, NC-SC nonattainment area because of its proximity to Charlotte.</p>
§110(a)(2)(J) (§ 121 consultation)	<p>Consultation with government officials</p> <p>“...meet the applicable requirements of section 121 (relating to consultation);”</p>	S.C. Code Ann. § 48-1-50(8) (<i>et seq.</i>)	Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (Initial EPA approval: 2/10/82)
§110(a)(2)(J) (Section 127 public notification)	<p>Public notification</p> <p>“...meet the applicable requirements of section 127 of this title;”</p>	S.C. Code Ann. § 48-1-60 (<i>et seq.</i>)	Regulation 61-62.3, <i>Air Pollution Episodes</i> (Initial EPA approval: 5/31/72)

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(J) (PSD)	<p>PSD and visibility protection</p> <p>“...meet the applicable requirements of ... part C (relating to prevention of significant deterioration of air quality and visibility protection);”</p>	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	<p>Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (EPA approval: 2/10/82)</p> <p>The state submitted the Regional Haze Implementation Plan for incorporation into the SC SIP on December 17, 2007. June 7, 2012, EPA finalized a limited disapproval due to the remand by the U.S. Court of Appeals for the DC Circuit to EPA of the Clean Air Interstate Rule (CAIR). June 28, 2012, EPA finalized a limited approval of the same SC SIP amendment to meet the monitoring and long-term strategy (LTS) requirements for reasonably attributable visibility impairment (RAVI) and is therefore rescinding the Federal Regulations previously approved into the SC SIP on July 12, 1985, and November 24, 1987.</p>
§110(a)(2)(K)	<p>Air quality modeling/data</p> <p>“...provide for: (i) the performance of such air quality modeling as the Administrator may prescribe for the purpose of predicting the effect on ambient air quality of any emissions of any air pollutant for which the Administrator has established a national ambient air quality standard, and (ii) the submission, upon request, of data related to such air quality modeling to the Administrator;”</p>	S.C. Code Ann. § 48-1-10 (<i>et seq.</i>)	<p>Regulation 61-62.5, Standard No. 2, <i>Ambient Air Quality Standards</i> (Initial EPA approval: 12/28/78)</p> <p>Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (Initial EPA approval: 2/10/82)</p>

Section 110(a) element	Element/CAA Text	Statute	How Addressed in SIP
§110(a)(2)(L)	<p>Permitting fees</p> <p>“...require the owner or operator of each major stationary source to pay to the permitting authority, as a condition of any permit required under this Act, a fee sufficient to cover—</p> <p>(i) the reasonable costs of reviewing and acting upon any application for such a permit, and</p> <p>(ii) if the owner or operator receives a permit for such source, the reasonable costs of implementing and enforcing the terms and conditions of any such permit (not including any court costs or other costs associated with any enforcement action), until such fee requirement is superseded with respect to such sources by the Administrator's approval of a fee program under title V;”</p>	S.C. Code Ann. § 48-2-50 (<i>et seq.</i>)	State only Regulation 61-30, <i>Environmental Protection Fees</i> (Promulgated June 23, 1995)
§110(a)(2)(M)	<p>Consultation/participation by affected local entities</p> <p>“...provide for consultation and participation by local political subdivisions affected by the plan.”</p>	<p>S.C. Code Ann. § 48-1-50(8) (<i>et seq.</i>)</p> <p>S.C. Code Ann. § 1-23-40 (<i>et seq.</i>)</p>	Regulation 61-62.5, Standard No. 7, <i>Prevention of Significant Deterioration</i> (EPA approval: 2/10/82)

Appendix A
October 24, 2011, SC 2008 8-Hour Ozone
Infrastructure Requirements

BOARD:
Allen Amsler
Chairman
Mark S. Lutz
Vice Chairman
Steven G. Kisner
Secretary



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment

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October 24, 2011

Gwendolyn Keyes Fleming, Esq.
Regional Administrator
US EPA Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303-8909

Re: South Carolina Air Quality Implementation Plan, 2008 8-hour Ozone Infrastructure Requirements

Dear Ms. Fleming:

I am writing today to certify that the South Carolina Department of Health and Environmental Control (Department) has met the Clean Air Act (CAA) Sections 110(a)(1) and (2) requirements for the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS). As such, we are formally requesting that the U.S. Environmental Protection Agency (EPA) acknowledge this certification as a demonstration that the South Carolina Air Quality Implementation Plan (SIP) is adequate in addressing the 2008 8-hour ozone NAAQS.

Section 110(a) of the CAA requires that each state adopt and submit a SIP for the implementation, maintenance, and enforcement of each NAAQS promulgated by the EPA, which is commonly referred to as an "infrastructure" SIP. On March 27, 2008, the EPA issued the revised 8-hour NAAQS for ozone. In September 2009, the EPA announced they were reconsidering the 2008 8-hour ozone NAAQS. Then, on September 2, 2011, the White House released a statement asking the EPA to withdraw the reconsideration which prompted EPA's announcement on September 22, 2011, stating its intention to proceed with certain required actions to implement the 2008 8-hour ozone NAAQS, to include infrastructure.

On July 13, 2011, (76 FR 41111), the EPA approved South Carolina's December 13, 2007, SIP submission demonstrating that South Carolina meets the SIP requirements of Sections 110(a)(1) and (2) of the CAA for the 1997 8-hour ozone NAAQS. South Carolina certified that the South Carolina SIP contains provisions that ensure the 1997 8-hour ozone NAAQS is implemented, enforced, and maintained in South Carolina.

Based on the EPA's July 13, 2011, (76 FR 41111) action, the Department believes our SIP is equally sufficient in addressing the necessary requirements for implementing, maintaining and enforcing the 2008 8-hour ozone NAAQS and is certifying this today. In regards to any issues or concerns surrounding any references to Clean Air Interstate Rule (CAIR), our state's Regulations at 61-62.96, *Nitrogen Oxides (NOX) and Sulfur Dioxide (SO2) Budget Trading Program*, along with our federally approved SIP (74 FR 53167, October 16, 2009) ensure that the state's CAIR program is being complied with and enforced. This SIP will be replaced by the Federal Implementation Plan (FIP) for the Cross State Air Pollution Rule (CSAPR) that establishes state specific emission control requirements using state budgets starting January 1, 2012 (76 FR 48208, August 8, 2011).

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

2600 Bull Street • Columbia, SC 29201 • Phone: (803) 898-3432 • www.scdhec.gov

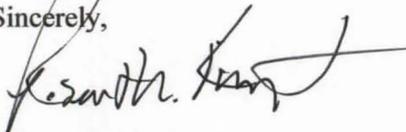
October 24, 2011

The only current nonattainment area in South Carolina is a portion of York County, SC that was designated nonattainment for the 1997 8-hour ozone NAAQS (69 FR 23951) as a part of the Charlotte-Gastonia-Rock Hill, NC-SC 8-hour ozone nonattainment area. It should be noted that on June 1, 2011, based on clean data, the Department submitted a redesignation request (to "attainment") and maintenance plan for the South Carolina portion of the Charlotte-Gastonia-Rock Hill, NC-SC 8-hour ozone nonattainment area.

In addition, on October 11, 2011, the Department updated our boundary recommendation for the 2008 8-hour ozone NAAQS submitted in 2009. This update requests that each entire county of the State of South Carolina be designated "attainment" for the 2008 8-hour ozone NAAQS, including all of York County.

The Department appreciates this opportunity to certify that these elements are addressed in our SIP and applauds EPA's efforts to "simplify" the requirements for SIP submittals.¹ As you know, states are charged with carrying out requirements of the CAA and with developing SIPs that outline how air pollution will be controlled to meet the NAAQS. The prescriptive requirements under the CAA have made the SIP process burdensome, complicated and costly. South Carolina is already under-funded for existing mandates; therefore we appreciate EPA's flexibility in allowing certifications like this as a means to preserve already limited state resources. If you have any questions please contact Myra Reece at (803) 898-4102 or reecemc@dhec.sc.gov.

Sincerely,



Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control

cc: Mr. Scott Davis, Chief, Air Planning Branch, EPA Region 4
Ms. Lynorae Benjamin, Chief, Regulatory Development Section, EPA Region 4
Ms. Jane Spann, Regulatory Development Section, EPA Region 4
Ms. Myra C. Reece, Chief, Bureau of Air Quality, S.C. DHEC
Ms. Renee Shealy, Assistant Bureau Chief, Bureau of Air Quality, S.C. DHEC
Mr. Robert Brown, Director, Division of Air Assessment, Innovations, and Regulation,
Bureau of Air Quality, S.C. DHEC
Ms. Maeve Mason, Manager, Regulation and SIP Management Section, Bureau of Air Quality,
S.C. DHEC

Attachment - South Carolina Certification: Clean Air Act Sections 110(a)(1) and 110(a)(2), 8-hour
Ozone Requirements; December 13, 2007

¹ See April 6, 2011, McCabe memo on SIP reform.

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Promoting and protecting the health of the public and the environment

December 13, 2007

Kay T. Prince, Chief
Air Planning Branch
U.S. Environmental Protection Agency, Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Re: Section 110 Requirements

Dear Ms. Prince:

On November 16, 2007, Ms Jane Spann with U.S. EPA Region 4, Air, Pesticides and Toxics Management Division contacted the South Carolina Department of Health and Environmental Control ("Department") via electronic mail to request additional information and clarification related to Clean Air Act (CAA) Section 110(a)(1) and (2) requirements for the 1997 8-hour ozone and fine particulate matter (PM_{2.5}) national ambient air quality standards (NAAQS). Specifically this request referenced several elements outlined in an October 2, 2007, EPA memo entitled "Guidance on SIP Elements Required Under Sections 110(a)(1) and (2) for the 1997 8-hour Ozone and PM_{2.5} NAAQS."

On November 20, 2007, the Department responded to this request via electronic mail stating that all of the aforementioned elements pertaining to the 8-hour ozone standard were addressed under the provisions of the South Carolina Air Quality Implementation Plan. However, during a conference call on November 26, 2007, Region 4 staff requested that each state within the region provide a formal letter certifying that its respective State Implementation Plan (SIP) addresses all of the aforementioned required elements listed in Attachment A of the October 2, 2007, guidance memo. Please note that each State regulation referenced in the attachment to this letter is currently included in (or has been submitted to EPA for approval as part of) South Carolina's SIP. Further, as provided for by Section 48-1-50 of the 1976 South Carolina Code of Laws (as amended), the Department has the statutory authority to implement and amend its SIP.

As outlined in the enclosed attachment to this letter, the Department is certifying to the EPA that the "infrastructure" elements pertaining to the 8-hour ozone standard [as required under Sections 110(a)(1) and (2) of the CAA] have been addressed. The Department appreciates the opportunity for continued consultation with EPA. Should you require any additional information on these matters, please do not hesitate to contact Stacey Gardner of my staff at (803) 898-4287 or gardnesr@dhec.sc.gov.

Sincerely,

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control

Attachment - South Carolina Certification: Clean Air Act Sections 110(a)(1) and (a)(2), 8-hour Ozone

cc: Myra C. Reece, Chief, Bureau of Air Quality, SCDHEC
Robert J. Brown, Jr., Director, Division of Air Planning, Development & Outreach, SCDHEC
Stacey Gardner, Manager, Regulation Development Section, SCDHEC

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

2600 Bull Street • Columbia, SC 29201 • Phone: (803) 898-3432 • www.scdhec.gov

South Carolina Certification:
Clean Air Act Sections 110(a)(1) and 110(a)(2)
8-hour Ozone Requirements

December 13, 2007

Emission limits and other control measures: Section 110(a)(2)(A) of the Clean Air Act (CAA) requires State Implementation Plans (SIPs) to include enforceable emission limits and other control measures, means or techniques, schedules for compliance and other related matters. South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 2, *Ambient Air Quality Standards*, serves to establish emission limits for ozone, while Regulation 61-62.1, *Definitions and General Requirements*, addresses required control measures, means, and techniques. Section 48-1-50(23) of the 1976 South Carolina Code of Laws, as amended (hereinafter referred to as S.C. Code Ann.), provides the Department with the statutory authority to “*Adopt emission and effluent control regulations, standards and limitations that are applicable to the entire State, that are applicable only within specified areas or zones of the State, or that are applicable only when a specified class of pollutant is present.*”

Ambient air quality monitoring/data system: Section 110(a)(2)(B) of the CAA requires SIPs to include provisions to provide for establishment and operation of ambient air quality monitors, collection and analysis of ambient air quality data, and presentation of these data to the EPA upon request. Regulation 61.62.5, Standard No. 7, *Prevention of Significant Deterioration*, along with the *South Carolina Network Description and Ambient Air Network Monitoring Plan* (conditionally approved by EPA in November 2007), provides for an ambient air quality monitoring system in the State. S.C. Code Ann. § 48-1-50(14) provides the Department with the necessary statutory authority to “*Collect and disseminate information on air or water control.*”

Program for enforcement of control measures: Section 110(a)(2)(C) of the CAA requires States to implement a program that provides for the enforcement of all SIP measures and the regulation of construction of new or modified stationary sources to meet prevention of significant deterioration (PSD) and nonattainment new source review (NSR) requirements. Regulation 61-62.5, Standard No. 7, *Prevention of Significant Deterioration*, and Regulation 61-62.5, Standard No. 7.1, *Nonattainment New Source Review*, apply to the construction of any new major stationary source or any project at an existing major stationary source in an area designated as attainment or unclassifiable. On July 1, 2005, the Department submitted its PSD/NSR SIP revision to EPA for approval. In August 2007, the EPA sent to the State a draft conditional approval letter that indicated modifications to the State PSD and NSR rules were necessary. On November 20, 2007, the Department sent to the EPA a written response outlining its commitment to making those modifications. Upon publication of EPA’s final notice of conditional approval of these State rules in the *Federal Register*, the Department will thereafter commence with necessary changes to the regulations. S.C. Code Ann. § 48-1-50(10) provides the

Department with the statutory authority to “ *Require to be submitted to it and consider for approval plans for disposal systems or sources or any parts thereof and inspect the construction thereof for compliance with the approved plans.*” Further, S.C. Code Ann. § 48-1-50(11) provides the Department with the statutory authority to “ *Administer penalties as otherwise provided herein for violations of this chapter, including any order, permit, regulation or standards.*”

Interstate transport: Section 110(a)(2)(D) of the CAA requires SIPs to include provisions prohibiting any source or other type of emissions activity in one State from contributing significantly to nonattainment or from interfering with attainment of NAAQS in another State. States are required to submit 110(a)(2)(D)(i) plans to demonstrate compliance with these provisions. On June 25, 2007, South Carolina submitted its 110(a)(2)(D)(i) plan to EPA. In this submittal, South Carolina made a demonstration that it met the required four-pronged set of criteria as outlined below.

State SIPs must contain adequate provisions prohibiting any source or other type of emissions activity within the State from emitting any air pollutants in amounts that will:

1. Contribute significantly to nonattainment of NAAQS for areas in another State. **(Prong 1)**

South Carolina’s Clean Air Interstate Rule (CAIR) became state-effective on June 22, 2007. On December 10, 2007, EPA’s approval of South Carolina’s CAIR as a direct final rule became effective. South Carolina’s participation in the CAIR trading program will satisfy this criterion.

2. Interfere with maintenance of NAAQS by any other State. **(Prong 2)**

Again, South Carolina’s implementation of CAIR and participation in the trading program will satisfy this criterion.

3. Interfere with measures required to meet the implementation plan for any other State related to Prevention of Significant Deterioration (PSD). **(Prong 3)**

South Carolina’s participation in the CAIR trading program; implementation of Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration, and Regulation 61-62.5, Standard No. 7.1, Nonattainment New Source Review (both of which provide for a preconstruction review and permitting program for major sources of air pollutants); and adoption of the requirements of the Phase II ozone implementation rule for the York County, South Carolina, portion of the Charlotte-Gastonia-Rock Hill, NC-SC 8-hour ozone nonattainment area (submitted to EPA for approval on June 8, 2007) collectively satisfy this criterion.

4. Interfere with measures required to meet the implementation plan for any other State related to Regional Haze and Visibility. (Prong 4)

South Carolina will satisfy this criterion through its Regional Haze Implementation Plan (the prehearing SIP package was submitted to EPA on November 9, 2007). The Regional Haze Implementation Plan was developed in consultation with other states, Federal Land Managers, and regional planning organizations; the Department is making its best effort to meet EPA's December 17, 2007, submission deadline for the final Regional Haze Implementation Plan.

Adequate resources: Section 110(a)(2)(E) of the CAA requires states to provide for adequate personnel, funding, and legal authority under State Law to carry out their SIPs and related issues. The Department is provided its legal authority to establish a SIP and implement related plans, in general, under S.C. Code Ann. Section 48, Title 1. Specifically, S.C. Code Ann. § 48-1-50(12) grants the Department the statutory authority to “Accept, receive and administer grants or other funds or gifts for the purpose of carrying out any of the purposes of this chapter; accept, receive and receipt for Federal money given by the Federal government under any Federal law to the State of South Carolina for air or water control activities, surveys or programs.” S.C. Code Ann. Section 48, Title 2 grants the Department statutory authority to establish environmental protection funds. Additionally, Regulation 61-30, *Environmental Protection Fees*, provides the Department with the ability to assess fees for environmental permitting programs. The Department implements the SIP in accordance with the provisions of S.C. Code Ann. § 1-23-40 (the Administrative Procedures Act) and S.C. Code Ann. Section 48, Title 1.

Stationary source monitoring system: Section 110(a)(2)(F) of the CAA requires States to establish a system to monitor emissions from stationary sources and to submit periodic emissions reports. Regulation 61-62.1, *Definitions and General Requirements*, provides for an emission inventory plan that establishes reporting requirements, while S.C. Code Ann. § 48-1-22 provides the Department with the statutory authority to “Require the owner or operator of any source or disposal system to establish and maintain such operational records; make reports; install, use, and maintain monitoring equipment or methods; sample and analyze emissions or discharges in accordance with prescribed methods, at locations, intervals, and procedures as the Department shall prescribe; and provide such other information as the Department reasonably may require.”

Emergency power: Section 110(a)(2)(G) of the CAA requires state to provide for authority to address activities causing imminent and substantial endangerment to public health, including contingency plans to implement the emergency episode provisions in their SIPs. Regulation 61-62.3, *Air Pollution Episodes*, requires that the Department provide for contingency measures when air pollution episode or exceedance that may lead to substantial threat to the health or persons in the State or region. S.C. Code Ann. § 48-1-290 grants the Department the statutory authority as follows: “Whenever the Department finds that an emergency exists requiring immediate action to protect the public health or property, the Department, with concurrent notice to the Governor, may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as the Department deems necessary

to meet the emergency. Such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but on application to the Department or by direction of the Governor shall be afforded a hearing within forty-eight hours. On the basis of such hearing the Department shall continue such order in effect, revoke it or modify it. Regardless of whether a hearing is held, the Department shall revoke all emergency orders as soon as conditions or operations change to the extent that an emergency no longer exists.” S.C. Code Ann. § 1-23-130 provides the Department with the statutory authority to establish emergency regulations.

Future SIP revisions: Section 110(a)(2)(H) of the CAA requires States to have the authority to revise their SIPs in response to changes in the NAAQS, availability of improved methods for attaining the NAAQS, or in response to an EPA finding that the SIP is substantially inadequate. S.C. Code Ann. Section 48, Title 1 provides the Department the statutory authority to revise the SIP to accommodate changes in the NAAQS.

Consultation with government officials: Section 110(a)(2)(J) of the CAA requires States to provide a process for consultation with local governments and Federal Land Managers (FLMs) carrying out NAAQS implementation requirements pursuant to CAA Section 121 relating to consultation. Regulation 61-62.5, Standard No. 7, *Prevention of Significant Deterioration*, as well as provisions in separate implementation plans (such as the five-year review process under the Regional Haze Implementation Plan, which allows for consultation between appropriate state, local, and tribal air pollution control agencies as well as the corresponding FLMs) provide for continued consultation with government officials. Additionally, S.C. Code Ann. § 48-1-50(8) provides the Department with the statutory authority to “*Cooperate with the governments of the United States or other states or State agencies or organizations, official or unofficial, in respect to pollution control matters or for the formulation of interstate pollution control compacts or agreements.*”

Public notification: Section 110(a)(2)(J) further requires States to notify the public in NAAQS are exceeded in an area and to enhance public awareness of measures that can be taken to prevent exceedances. The Department has several public notice mechanisms in place to notify the public of ozone and other pollutant forecasting and has an extensive outreach program to educate the public and promote voluntary emission reduction measures. Regulation 61-62.3, *Air Pollution Episodes*, requires that the Department notify the public of any air pollution episode or exceedance. S.C. Code Ann. § 48-1-60 establishes that “*Classification and standards of quality and purity of the environment [are] authorized after notice and hearing.*”

PSD and visibility protection: Section 110(a)(2)(J) of the CAA also requires State to meet applicable requirements of Part C related to PSD and visibility protection. Regulation 61.62.5, Standard No. 7, *Prevention of Significant Deterioration*, as well as the final Regional Haze SIP, will address visibility protection.

Air quality modeling/data: Section 110(a)(2)(K) of the CAA requires that SIPs provide for air quality modeling so that effects on air quality of emissions from any NAAQS pollutant can be predicted and submission of such data to EPA can be made. Regulation 61-62.5, Standard No. 2, *Ambient Air Quality Standards*, and Regulation 61-62.5, Standard No. 7, *Prevention of*

Significant Deterioration (as adopted in the SIP), require that air modeling be conducted to determine permit applicability.

Permitting fees: Section 110(a)(2)(L) of the CAA requires SIPs to include a requirement that each major stationary source pay permitting fees to cover the costs of reviewing, approving, implementing, and enforcing a permit. Pursuant to S.C. Code Ann. § 48-2-50 (1993), the Department shall charge fees for environmental programs it administers pursuant to federal and state law and regulations. Regulation 61-30, *Environmental Protection Fees*, prescribes fees applicable to applicants and holders of permits, licenses, certificates, certifications, and registrations as well as establishes procedures for the payment of fees, provides for the assessment of penalties for nonpayment, and establishes an appeals process for refuting fees.

Consultation/participation by affected local entities: Section 110(a)(2)(M) of the CAA requires States to provide for consultation and participation in SIP development by local political subdivisions affected by the SIP. Regulation 61-62.5, Standard No. 7, *Prevention of Significant Deterioration* (as adopted by the SIP), requires that the Department notify the public of the application, preliminary determination, degree of incremental consumption, and the opportunity for comment prior to making a final permitting decision. Likewise, S.C. Code Ann. § 48-1-50(8) allows the Department to “*Cooperate with the governments of the United States or other states or State agencies or organizations, official or unofficial, in respect to pollution control matters or for the formulation of interstate pollution control compacts or agreements.*” Other provisions regarding public hearings and the regulation development process are included in S.C. Code Ann. Section 48, Title 1 in general, and S.C. Code Ann. § 1-23-40 (the Administrative Procedures Act). The Department has worked closely with local political subdivisions in developing the Transportation Conformity SIP, the Regional Haze Implementation Plan, the Early Action Compacts, and the 8-hour Ozone Attainment Demonstration for the York, County, South Carolina, portion of the Metrolina nonattainment area.

Other notes: In September 2007, the Department submitted its 8-hour Ozone Attainment Demonstration for the York County portion of the Metrolina nonattainment area. This document was developed in consultation with many interagency (both Federal and State) partners. In June 2007, the Department submitted its 110(a)(2)(D)(i) plan as final. In October 2007, the Department submitted a 110(a)(1) 8-hour ozone maintenance plan for Cherokee County, South Carolina (which had previously been subject to a one-hour ozone maintenance plan). The Department is currently in the process of updating its Transportation Conformity SIP.

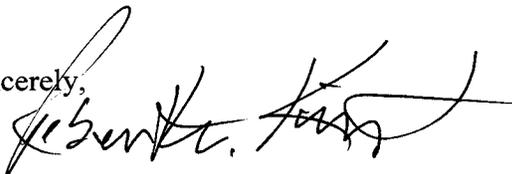
Together these submissions, along with South Carolina's existing Air Quality State Implementation Plan, address the ozone requirements of Section 110(a)(1) and (2) of the CAA.

comment period (June 25, 2012). The Public Hearing which was scheduled for July 2, 2012, was canceled pursuant to the process explained in 72 FR 38787.

In providing this certification today, the Department would like to make the EPA aware of several updates to the State's Attachment B: SIP Submittal Completeness Criteria Checklist. These updates provide added assurance that SIP elements have been adequately met by the preexisting SIP. For instance, the Department has updated the appropriate description of how each of the corresponding statutes or regulations meets the required SIP elements and reflects the status of submissions and approvals. Where necessary, the Department has also added references to applicable State statutes to address certain CAA elements once believed to have been adequately addressed but which necessitated clarification, in particular the requirements at CAA Section 110(a)(2)(E)(ii).¹

As stated in its aforementioned October 24, 2011, submittal, the Department applauds EPA's efforts to "simplify" the requirements for these types of SIP submittals² by allowing states to certify their SIP adequacy. However, in this instance the Department has been met with frustration due in part by contradicting guidance from the EPA on whether or not to require a public notice. While we realize and appreciate the fact that the April memo predates the advice given by the EPA in October 2011, we are nevertheless frustrated by the apparent inconsistency that ultimately cost the State valuable resources. As you know, states are charged with carrying out requirements of the CAA and with developing SIPs that outline how air pollution will be controlled to meet the NAAQS. The prescriptive requirements under the CAA have made the SIP process burdensome, complicated, and costly which has been compounded by inconsistent instruction from EPA Region 4 as to how states are to meet these requirements. South Carolina is already under-funded for existing mandates. Therefore, while we appreciate EPA's attempts at flexibility in allowing certifications like this as a means to preserve already limited state resources, it is our hope that in the future these attempts will provide a measure of relief. If you have any questions please contact Myra Reece at (803) 898-4102 or reecemc@dhec.sc.gov.

Sincerely,



Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control

¹ See April 3, 2012, Final Amendment: South Carolina Air Quality Implementation Plan (Certification for PM_{2.5} Infrastructure and Section 128 Requirements)

² See April 6, 2011, McCabe memo on SIP reform.

cc: Mr. Scott Davis, Chief, Air Planning Branch, EPA Region 4
Mr. Lynorae Benjamin, Chief, Regulatory Development Section, EPA Region 4
Mr. Jane Spann, Regulatory Development Section, EPA Region 4
Ms. Myra C. Reece, Chief, BAQ, S.C. DHEC
Ms. Rhonda Banks-Thompson, Assistant Bureau Chief, BAQ, S.C. DHEC
Mr. Robert Brown, Director, Division of Air Assessment, Innovations, and Regulation,
BAQ, S.C. DHEC
Ms. Maeve Mason, Manager, Regulation and SIP Management Section, BAQ,
S.C. DHEC

Attachment A- October 24, 2011, Certification of SC 2008 8-Hour Ozone Infrastructure
Requirements

Attachment B- SIP Submittal Completeness Criteria Checklist

Attachment C- *South Carolina State Register* Notice of General Public Interest, May 25, 2012

Attachment D- Legal Authority