

**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-R04-OAR-2013-0129; FRL-9900-02-Region4]

**Adequacy Status of the North Carolina Portion of the Charlotte-Gastonia-Rock Hill Bi-State Area Maintenance Plan 8-Hour Ozone Sub-Area Motor Vehicle Emission Budgets for Transportation Conformity Purposes**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** EPA is notifying the public that the Agency has determined that the sub-area motor vehicle emissions budgets (MVEBs) for the North Carolina portion of the Charlotte-Gastonia-Rock Hill bi-state area (hereafter referred to as the bi-state Charlotte Area) are adequate for transportation conformity purposes. These MVEBs were submitted by the North Carolina Department of Environment and Natural Resources (NC DENR) as part of the state's 1997 8-Hour Ozone Maintenance plan on November 2, 2011, and later supplemented on February 8, 2013. The bi-state Charlotte moderate 1997 8-hour ozone area is comprised of Charlotte-Gastonia in North Carolina, and Rock Hill (a portion of York County), South Carolina. The North Carolina portion of the bi-state Charlotte Area is comprised of the following sub-areas or counties: Cabarrus, Gaston, partial of Iredell (Davidson and Coddle Creek Townships), Lincoln, Mecklenburg, Rowan, and Union. North Carolina's maintenance plan includes the required MVEBs for volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>). This action relates only to the North Carolina portion of the bi-state Charlotte Area. EPA approved MVEBs for South Carolina's portion of York County in a separate action. As a result of EPA's finding, which is being announced in this notice, the North Carolina portion of the bi-state Charlotte Area must use the sub-area MVEBs for future conformity determinations for the 1997 8-hour ozone standard.

**DATES:** These sub-area MVEBs are effective August 28, 2013.

**FOR FURTHER INFORMATION CONTACT:** Dianna Smith, U.S. Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street SW., Atlanta, Georgia 30303. Ms. Smith can also be reached by telephone at (404) 562-9207, or via electronic mail at [smith.dianna@epa.gov](mailto:smith.dianna@epa.gov). The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/currrips.htm>.

**SUPPLEMENTARY INFORMATION:** This notice is simply an announcement of a finding that EPA has already made. EPA Region 4 sent a letter to NC DENR on July 25, 2013, stating that the sub-area MVEBs identified for the North Carolina portion of the bi-state Charlotte area in the 1997 8-hour ozone maintenance plan, submitted on November 2, 2011, and later supplemented on February 8, 2013, are adequate and must be used for transportation conformity determinations in the North Carolina portion of the bi-state Charlotte Area.

EPA posted the availability of the sub-area MVEBs contained in the North Carolina maintenance plan on EPA's Web site on February 21, 2013, as part of the adequacy process, for the purpose of soliciting comments. During EPA's adequacy comment period from February 21, 2013, through March 25, 2013, no comments, adverse or otherwise, were received on the MVEBs for the North Carolina portion of the bi-state Charlotte Area. Through this notice, EPA is informing the public that these sub-area MVEBs are adequate for transportation conformity. This finding has also been announced on EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/pastsips.htm>. The adequate sub-area MVEBs are provided in the following table:

CHARLOTTE (NORTH CAROLINA PORTION) 8-HOUR OZONE SUB-AREA MVEB		
	[Kilograms/day]	
	2013	2025
<b>Cabarrus-Rowan MPO</b>		
VOC .....	10,849	6,510
NO <sub>x</sub> .....	21,822	11,953
<b>Gaston Urban Area MPO/Lake Norman RPO</b>		
VOC .....	11,610	7,047
NO <sub>x</sub> .....	22,168	12,541
<b>Mecklenburg-Union MPO/Rocky River RPO</b>		
VOC .....	28,252	17,378
NO <sub>x</sub> .....	61,501	35,728

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule, 40 CFR Part 93, requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do so. Conformity to a state implementation plan (SIP) means that

transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which EPA determines whether a SIP's MVEBs are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). EPA has also described the process for determining the adequacy of submitted SIP budgets in a July 1, 2004, final rulemaking entitled, "Transportation Conformity Rule Amendments for the New 8-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes" (69 FR 40004). Please note that an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of the maintenance plan for the North Carolina portion of the bi-state Charlotte Area. Even if EPA finds a budget adequate, the maintenance plan submittal could later be disapproved.

Within 24 months from the effective date of this notice, the transportation partners will need to demonstrate conformity to the new MVEBs, if the demonstration has not already been made, pursuant to 40 CFR 93.104(e). See 73 FR 4419 (January 24, 2008).

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: August 5, 2013.

**Beverly H. Banister,**

*Acting Regional Administrator, Region 4.*

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**ENVIRONMENTAL PROTECTION AGENCY**

[EPA-HQ-SFUND-2013-0549; FRL-9846-1]

**Agency Information Collection Activities; Proposed Collection; Comment Request; Notification of Episodic Releases of Oil and Hazardous Substances (Renewal); EPA ICR No. 1049.13**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit a request to renew an existing approved Information Collection Request (ICR) to the Office of Management and Budget (OMB). This