

2. The Area Has Met All Applicable Requirements Under Section 110 and Part D of the CAA

EPA reviewed the North Carolina SIP and ensures that it contains all measures due under the amended CAA prior to or at the time the State of North Carolina submitted its redesignation request. For detailed information regarding applicable requirements other than section 182(f), refer to the proposed document.

A. Section 182(a)(1)—Emissions Inventory

North Carolina has met this requirement. This document gives final approval of the 1990 base line emissions inventory. For detailed information regarding how this requirement was met, refer to the proposal document.

B. Section 182(a)(2), 182(b)(2)—Reasonably Available Control Technology (RACT)

As stated in the proposal document, North Carolina had met all RACT requirements except those in 182(b)(2), RACT Catch-ups. On January 7, 1994, the State submitted revisions to the SIP that addressed the RACT Catch-ups. The document approving those revisions was published on January 26, 1995 (see 60 FR 5138), and became effective on March 27, 1995. Therefore this requirement has been met. For detailed information regarding this requirement, refer to the proposal document.

C. Section 182(a)(3)—Emissions Statements

In the proposal document, EPA stated that the North Carolina Emissions Statement regulation must be approved prior to or at the time of redesignation. On December 17, 1993, North Carolina submitted a revision to the SIP that met the requirements for an emission statement regulation. The document approving this revision was published on May 5, 1995 (see 60 FR 22284). No adverse comments were received, therefore, the effective date of the federal approval is July 5, 1995. Therefore this requirement has been met. For detailed information regarding this requirement, refer to the proposal document.

D. Section 182(b)(1)—15% Progress Plans

With the approval of this redesignation request, the requirement to submit a 15% plan is obviated because the redesignation request predated the requirement for a 15% plan. Additionally, on May 10, 1995, EPA, in a memorandum from John S. Seitz, Director, Office of Air Quality

Planning and Standards, issued a new policy regarding planning requirements of the CAA. Areas that have quality assured air monitoring data showing attainment with the ozone standard for the most recent three years are deemed to have attained the standard and such are not subject to certain requirements of subpart 2 of Part D of title I of the CAA. Specifically, a moderate area such as Charlotte-Gastonia would no longer be required to submit a 15% plan or an attainment demonstration. EPA has published a document making such finding with respect to the Charlotte-Gastonia area. See the proposal document for more detailed information.

E. Section 182(b)(3)—Stage II

On January 24, 1994, EPA promulgated the onboard vapor recovery rule (OBVR), and, section 202(a)(b) of the CAA provides that once the rule is promulgated, moderate areas are no longer required to implement Stage II. Thus, the Stage II vapor recovery requirement of section 182(b)(3) is no longer an applicable requirement. See the proposal document for more detailed information.

F. Section 182(b)(4)—Motor Vehicle Inspection and Maintenance (I/M)

In the proposal document, EPA stated that the North Carolina I/M regulation must be approved prior to or at the time of redesignation. On July 19, 1993, North Carolina submitted a revision to the SIP that met the requirements for an I/M regulation. The document approving this revision was published on June 2, 1995 (see 60 FR 28720), and the revision is federally approved. For detailed information regarding this requirement, refer to the proposal document.

G. Section 182(b)(5)—New Source Review (NSR)

North Carolina has a fully-approved NSR program for moderate O₃ nonattainment areas. For detailed information regarding this requirement, refer to the proposal document.

H. Section 182(f)—Oxides of Nitrogen (NO_x) Requirements

This redesignation request predated the November 15, 1993, requirement for the submittal of NO_x RACT rules. Therefore, NO_x RACT is not an applicable requirement for purposes of this redesignation request. However, the State has submitted revisions that would require NO_x RACT should the area violate the O₃ NAAQS. This submittal pre-adopts NO_x RACT rules as a contingency measure. Since

contingency measures for maintenance are not required to be pre-adopted, approval of this submittal is not a requirement for redesignation. Action on that submittal will be taken in another document since it is not an applicable requirement for purposes of this redesignation request. For more detailed information regarding this requirement, refer to the proposal document.

3. The Area Has a Fully Approved SIP Under Section 110(k) of the CAA

Based on the approval of provisions under the pre-amended CAA and EPA's prior approval of SIP revisions under the amended CAA, EPA has determined that the Charlotte-Gastonia area has a fully approved O₃ SIP under section 110(k).

4. The Air Quality Improvement Must Be Permanent and Enforceable

Several control measures have come into place since the Charlotte-Gastonia nonattainment area violated the O₃ NAAQS. Of these control measures, the reduction of fuel volatility from 10.6 psi in 1987 to less than 9.0 psi in 1990, and finally to less than 7.8 psi beginning with the summer of 1992, as measured by the Reid Vapor Pressure (RVP), and fleet turnover due to the Federal Motor Vehicle Control Program (FMVCP) produced the most significant decreases in VOC emissions. The reduction in VOC emissions due to the mobile source regulations from 1987 to 1990 is 26.01 tons per day (29.63%). The VOC emissions in the base year are not artificially low due to a depressed economy.

5. The Area Must Have a Fully Approved Maintenance Plan Pursuant to Section 175A of the CAA

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The plan must demonstrate continued attainment of the applicable NAAQS for at least ten years after the Administrator approves a redesignation to attainment. Eight years after the redesignation, the state must submit a revised maintenance plan which demonstrates attainment for the ten years following the initial ten-year period. To provide for the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, with a schedule for implementation, adequate to assure prompt correction of any air quality problems.

EPA is approving the State of North Carolina's maintenance plan for the Charlotte-Gastonia nonattainment area