

**Agenda Item:** AG12-40 **Request to Proceed to Hearing on Revision to Ambient Standard for Particulate Matter (PM2.5) (524)**

**Explanation:**

The Environmental Management Commission (EMC) is requested to approve one or more public hearings to consider an amendment to Rule 15A NCAC 02D .0410 to update the ambient standards for Particulate Matter.

The United States Environmental Protection Agency (USEPA) strengthened its National Ambient Air Quality Standards (NAAQS) for particulate matter, also known as PM2.5, on December 14, 2012. The revisions are the result of USEPA's every five year review of NAAQS required under the Clean Air Act and also responded to a court remand of portions of the agency's 2006 decision on the PM2.5 standards. The USEPA revised the primary annual standard from 15.0 ug/m<sup>3</sup>, set in 1997, to 12.0 ug/m<sup>3</sup>. USEPA retained the existing 24-hour primary standard for PM2.5 at 35 ug/m<sup>3</sup> as set in 2006. USEPA also retained the existing secondary standards for PM2.5 to address PM-related effects such as visibility impairment, ecological effects, damage to materials and climate impacts. This includes an annual standard of 15.0 µg/m<sup>3</sup> and a 24-hour standard of 35 µg/m<sup>3</sup>. In addition USEPA retained the existing 24-hour PM10 primary and secondary standards for health and environmental effects of 150 ug/m<sup>3</sup> that have been in place since 1987. Changes to ambient air monitoring, reporting, and network design requirements, including addition of a near-road component to the PM2.5 monitoring network, were also made when the NAAQS was revised. 15A NCAC 02D .0410 is proposed to be amended to reflect the revised standard.

State implementation plans (SIPs) demonstrating the state has the infrastructure in place address attainment and maintenance of the NAAQS are required to be submitted to USEPA within three years of revision of the NAAQS. 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.

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.

**Recommendation:**

The Director recommends that the Commission approve the proposed rule along with authorizing a public hearing(s) on these items and that the Chairman appoint a member(s) of the Commission to serve as a hearing officer(s).