D H E C
PROMOTE PROTECT PROSPER
2600 Bull Street
Columbia, SC 29201-1708

COMMISSIONER:
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Rodney L. Grandy

Larry R. Chewning, Jr., DMD

December 31, 2002 Facsimile/Overnight

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Re: Additional Submittal of Early Action Compacts for South Carolina Counties

Dear Mr. Palmer:

The South Carolina Department of Health and Environmental Control (DHEC) is moving forward with the development of an early action State Implementation Plan (SIP), as offered by the Environmental Protection Agency (EPA), allowing cleaner air sooner for South Carolina. On November 25, 2002, DHEC completed negotiations with EPA Region 4 staff regarding South Carolina's 8-Hour Ozone Early Action Compacts (EAC).

The EACs were developed to include the local county government, DHEC and the EPA as signatory parties. It should be noted however, that interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) have been and will continue to be involved in the planning process.

Although we have identified the local county government to be a responsible party for participation in the EAC, the counties participating may or may not be part of future boundary determinations and discussions. Specifically, EPA should not consider the counties participating in the EAC as the presumptive boundaries for any future non-attainment designations.

Enclosed are additional South Carolina's 8-Hour Ozone Early Action Compacts signed by me, representing DHEC and the respective county official representing counties in the areas identified on the attached map. These counties should be added to the ones submitted to you on December 20 and 27, 2002. The recent participating counties include the following and are listed by Council of Government (COG) planning areas:

Lower Savannah: Allendale, Bamberg

Should additional EAC's be received after submittal of this correspondence, they will be forwarded to EPA under separate cover.

Having the EAC completed and signed by all parties, including EPA will complete the first "key" milestone as outlined in the November 14, 2002, guidance memorandum issued by Mr. Jeffrey R. Holmstead. We are asking that EPA sign the enclosed EACs no later than December 31, 2002, and return the original for our files. We will then forward a copy to the respective counties.

We appreciate the opportunity to participate in the early action SIP process. Thank you for the assistance and support EPA has provided thus far in this process, especially during the public meetings held in October and in the development of the EAC. We look forward to continuing to work with EPA as we implement measures to achieve cleaner air sooner for South Carolina and our neighboring states. Should you have questions or desire additional information, please do not hesitate to contact me at (803) 896-8940 or Jim Joy, Chief of DHEC's Bureau of Air Quality at (803) 898-4123.

Sincerely,

R. Lewis Shaw

R. Lewis Shaw, P.E.
Deputy Commissioner
Environmental Quality Control

Attachments: 1. Early Action Compacts
2. Area Map

cc: Kay Prince, EPA Region 4
Beverly Bannister, EPA Region 4 (no attachments)
County Officials (no attachments)
Harold Reheis, GA Dept. of Natural Resources (no attachments)
Ron Methier, GA Dept. of Natural Resources (no attachments)
William Ross, NC Dept. of Environmental and Natural Resources (no attachments)
Keith Overcash, NC Dept. of Environmental and Natural Resources (no attachments)
EQC District Directors (no attachments)

D H E C

PROMOTE PROTECT PROSPER

2600 Bull Street
Columbia, SC 29201-1708

COMMISSIONER:
C. Earl Hunter

BOARD:
Bradford W. Wyche
Chairman

Mark B. Kent
Vice Chairman

Howard L. Brilliant, MD
Secretary

Carl L. Brazell

Louisiana W. Wright

L. Michael Blackmon

Larry R. Chewning, Jr., DMD

December 27, 2002

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Re: Additional Early Action Compacts for South Carolina Counties

Dear Mr. Palmer:

The South Carolina Department of Health and Environmental Control (DHEC) is moving forward with the development of an early action State Implementation Plan (SIP), as offered by the Environmental Protection Agency (EPA), allowing cleaner air sooner for South Carolina. On November 25, 2002, DHEC completed negotiations with EPA Region 4 staff regarding South Carolina's 8-Hour Ozone Early Action Compacts (EAC).

The EACs were developed to include the local county government, DHEC and the EPA as signatory parties. It should be noted however, that interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) have been and will continue to be involved in the planning process.

Although we have identified the local county government to be a responsible party for participation in the EAC, the counties participating may or may not be part of future boundary determinations and discussions. Specifically, EPA should not consider the counties participating in the EAC as the presumptive boundaries for any future non-attainment designations.

Enclosed are additional South Carolina's 8-Hour Ozone Early Action Compacts signed by me, representing DHEC and the respective county official representing counties in the areas identified on the attached map. These counties should be added to the ones submitted to you on December 20, 2002. The recent participating counties include the following and are listed by Council of Government (COG) planning areas:

Waccamaw: Georgetown, Horry
Santee Lynches: Kershaw
Berkeley-Charleston-Dorchester: Berkeley, Charleston
Central Midlands: Fairfield
Upper Savannah: Greenwood

AIR PLANNING BRANCH
RECEIVED
DEC 30 2002
EPA-REGION #4
ATLANTA, GA.

Should additional EAC's be received after submittal of this correspondence, they will be forwarded to EPA under separate cover. Also attached are several original EACs from the previous submittal. Please sign these and replace the "copy" versions.

Having the EAC completed and signed by all parties, including EPA will complete the first "key" milestone as outlined in the November 14, 2002, guidance memorandum issued by Mr. Jeffrey R. Holmstead. We are asking that EPA sign the enclosed EACs no later than December 31, 2002, and return the original for our files. We will then forward a copy to the respective counties.

We appreciate the opportunity to participate in the early action SIP process. Thank you for the assistance and support EPA has provided thus far in this process, especially during the public meetings held in October and in the development of the EAC. We look forward to continuing to work with EPA as we implement measures to achieve cleaner air sooner for South Carolina and our neighboring states. Should you have questions or desire additional information, please do not hesitate to contact me at (803) 896-8940 or Jim Joy, Chief of DHEC's Bureau of Air Quality at (803) 898-4123.

Sincerely,

R. Lewis Shaw

R. Lewis Shaw, P.E.
Deputy Commissioner
Environmental Quality Control

Attachments: 1. Early Action Compacts
2. Area Map

cc: Kay Prince, EPA Region 4
Beverly Bannister, EPA Region 4 (no attachments)
County Officials (no attachments)
Harold Reheis, GA Dept. of Natural Resources (no attachments)
Ron Methier, GA Dept. of Natural Resources (no attachments)
William Ross, NC Dept. of Environmental and Natural Resources (no attachments)
Keith Overcash, NC Dept. of Environmental and Natural Resources (no attachments)
EQC District Directors (no attachments)

D H E C

PROMOTE PROTECT PROSPER

2600 Bull Street
Columbia, SC 29201-1708

COMMISSIONER:
C. Earl Hunter

BOARD:
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Mark B. Kent
Vice Chairman

Howard L. Brilliant, MD
Secretary

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Louisiana W. Wright

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Lawrence R. Chewning, Jr., DMD

December 20, 2002

AIR PLANNING BRANCH
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EPA-REGION #4
ATLANTA, GA.

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Dear Mr. Palmer:

The South Carolina Department of Health and Environmental Control (DHEC) is moving forward with the development of an early action State Implementation Plan (SIP), as offered by the Environmental Protection Agency (EPA), allowing cleaner air sooner for South Carolina. On November 25, 2002, DHEC completed negotiations with EPA Region 4 staff regarding South Carolina's 8-Hour Ozone Early Action Compacts (EAC).

The EACs were developed to include the local county government, DHEC and the EPA as signatory parties. It should be noted however, that interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) have been and will continue to be involved in the planning process. Enclosed are copies of letters of support received to date from interested stakeholders.

Although we have identified the local county government to be a responsible party for participation in the EAC, the counties participating may or may not be part of future boundary determinations and discussions. Specifically, EPA should not consider the counties participating in the EAC as the presumptive boundaries for any future non-attainment designations.

The Early Action Compact states that the initial modeling emissions inventory and the base case modeling will be completed by December 31, 2002. The completion of these items is addressed in the attached *8-Hour Ozone Modeling Analysis and Attainment Demonstration for South Carolina's Early Action Compact Technical Protocol.*

South Carolina maintains responsibility and authority for implementing environmental programs throughout the state, including those in The Catawba Indian Nation, located in York, Lancaster and Chester counties. The Catawba Indian Nation will be included in all planning aspects of the early action SIP through direct communication and their representation on the local Metropolitan Planning Organization. Additionally, DHEC plans to continue to support the efforts of the Central Carolinas Integrated Air Quality Management Pilot Project.

Enclosed are South Carolina's 8-Hour Ozone Early Action Compacts signed by me, representing DHEC and the respective county official representing counties in the areas identified on the attached map. The participating counties to date include the following and are listed by Council of Government (COG) planning areas:

Appalachian: Anderson, Cherokee, Greenville, Oconee, Pickens, Spartanburg
Catawba: Chester, Lancaster, Union, York
Pee Dee: Chesterfield, Darlington, Dillon, Florence, Marion, Marlboro
Waccamaw: Williamsburg
Santee Lynches: Clarendon, Lee, Sumter
Berkeley-Charleston-Dorchester: Dorchester
Low Country: Beaufort, Colleton, Hampton, Jasper
Lower Savannah: Aiken, Barnwell, Calhoun, Orangeburg
Central Midlands: Lexington, Newberry, Richland
Upper Savannah: Abbeville, Edgefield, Laurens, Saluda

Should additional EAC's be received after submittal of this correspondence, they will be forwarded to EPA under separate cover.

Having the EAC completed and signed by all parties, including EPA will complete the first "key" milestone as outlined in the November 14, 2002, guidance memorandum issued by Mr. Jeffrey R. Holmstead. We are asking that EPA sign the enclosed EACs no later than December 31, 2002, and return the original for our files. We will then forward a copy to the respective counties.

We appreciate the opportunity to participate in the early action SIP process. Thank you for the assistance and support EPA has provided thus far in this process, especially during the public meetings held in October and in the development of the EAC. We look forward to continuing to work with EPA as we implement measures to achieve cleaner air sooner for South Carolina and our neighboring states. Should you have questions or desire additional information, please do not hesitate to contact me at (803) 896-8940 or Jim Joy, Chief of DHEC's Bureau of Air Quality at (803) 898-4123.

Sincerely,

R. Lewis Shaw

R. Lewis Shaw, P.E.
Deputy Commissioner
Environmental Quality Control

Attachments:
1. Early Action Compacts
2. Area Map of South Carolina
3. Letters of Support
4. *8-Hour Ozone Modeling Analysis and Attainment Demonstration for South Carolina's Early Action Compact Technical Protocol*

cc: Kay Prince, EPA Region 4
Beverly Bannister, EPA Region 4 (no attachments)
County Officials (no attachments)
Gilbert B. Blue, Chief, Catawba Indian Nation (no attachments)
Harold Reheis, GA Dept. of Natural Resources (no attachments)
Ron Methier, GA Dept. of Natural Resources (no attachments)
William Ross, NC Dept. of Environmental and Natural Resources (no attachments)
Keith Overcash, NC Dept. of Environmental and Natural Resources (no attachments)
EQC District Directors (no attachments)

Attachment 1

South Carolina

Early Action Compacts

December 2002

D H E C

PROMOTE PROTECT PROSPER

Early Action Compacts of South Carolina

Attachment	Early Action Compact Name Designations
1-A	Appalachian
1-B	Catawba
1-C	Pee Dee
1-D	Waccamaw
1-E	Santee Lynches
1-F	Berkeley-Charleston-Dorchester
1-G	Low Country
1-H	Lower Savannah
1-I	Central Midlands
1-J	Upper Savannah

Attachment 2

Area Map of South Carolina

Attachment 3

South Carolina
Early Action SIP

Letters of Support

December 2002

D H E C

PROMOTE PROTECT PROSPER

SOUTH CAROLINA
MANUFACTURERS ALLIANCE

RECEIVED
SEP - 4 2002
BUREAU OF AIR QUALITY

September 3, 2002

Heather Preston
Bureau of Air Quality
South Carolina
Department of Health & Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Dear Ms. Preston:

On behalf of the South Carolina Manufacturers Alliance ("SCMA"), I would like to thank the Department for this opportunity to participate in the regulatory process for amending R. 61-62, *Air Pollution Control Regulations and Standards*.

SCMA is vitally interested in any proposed changes to R. 61-62. SCMA applauds SC DHEC's efforts to pursue an early action plan and would appreciate being included in any stakeholder meetings involving any proposed changes to R. 61-62.

Again, thank you for this opportunity to participate in the regulatory process. We look forward to working with the Department on issues pertaining to R. 61-62 that are of critical interest and importance to manufacturers in this State.

Sincerely,

Kim Bearden

Kimberly V. Bearden
Vice President for Government Relations & General Counsel

1340 Bull Street Columbia, South Carolina 29201
Phone: 803.799.9695 Fax: 803.771.8738 Web site: www.myscma.com Email: info@myscma.com

SOUTH CAROLINA / ASPHALT PAVEMENT ASSOCIATION
P. O. Box 11448 Columbia, South Carolina 29211
803-252-2522 Fax: 803-779-3013 E-mail: scapa@bellsouth.net

PRESIDENT
G. REID BANKS
CHARLESTON

VICE PRESIDENT
DAVID M. ASHMORE
GREER

TREASURER
HOYLE T. THOMPSON, III
GREENVILLE

EXECUTIVE DIRECTOR
DAVID A. HERNDON
COLUMBIA

September 26, 2002

RECEIVED
SEP 27 2002
Bureau of Air Quality

James A. Joy, III, P.E. Chief
Bureau of Air Quality
2600 Bull Street
Columbia, SC 29201-1708

Good Morning, Mr. Joy:

I have been following the ground-level ozone issue for some time now. We appreciate your request for industry to participate in the development of the Early Action Plan to address this issue. I have had great concerns on how this issue will effect federal funding on road projects in areas that are deemed to be out of compliance with the proposed 8 hour standard for ground level ozone.

I will be in attendance at the October 1, 2002 meeting here in Columbia. I will also encourage members of the Association to be present at the other locations around the state. We are very interested in partnering and finding ways to achieve the new standard while minimizing the economic impact to the state.

Please let me know what I and the Association can do to ensure a successful outcome to this endeavor.

Think Asphalt,

David A Herndon

David Herndon
Executive Director
South Carolina Asphalt Pavement Association

South Carolina Association of Counties

Same Letter Sent To:

Council Chairmen
CAOs

RECEIVED

NOV 1 4 2002

Bureau of Air Quality

James A. Coleman, President
Laurens County

Michael B. Cone
Executive Director

November 12, 2002

Mr. Steve S. Kelly, Jr.
Council Chairman
Kershaw County
827 Pine Oak Road
Camden, SC 29020-9153

Re: Participation in South Carolina's 8-hour Ozone Early Action Compact

Dear Steve:

The State of South Carolina currently meets all of the National Ambient Air Quality Standards (NAAQS). However, several areas of the state could be designated non-attainment as early as Spring 2004 for the 8-hour ground-level ozone standard.

A non-attainment designation has severe consequences, the most important being the negative impacts on public health. From an economic perspective, **there are federal requirements that come automatically as a result of non-attainment designations**. One of these includes **additional permitting requirements for industry** that could influence their decision whether to locate new operations or expand existing operations into non-attainment areas. Another involves an **impact on the way federal funds may or may not be spent** on such things as road projects in non-attainment areas. Such requirements could definitely impact the way South Carolina counties grow.

The U.S. Environmental Protection Agency (EPA) has provided an option for areas, like those in South Carolina, to attain the new standard sooner and **avoid the aforementioned mandatory requirements**. DHEC wishes to assist in providing cleaner air sooner.

Within the next week, your county chief administrative officer should be receiving a letter from DHEC that contains a DRAFT 8-hour Ozone Early Action Compact (EAC). The EAC is a Memorandum of Agreement between local representatives, DHEC and EPA, designed to enable a local, proactive approach to ensure attainment of the 8-hour ozone standard prior to December 31, 2007. **We believe it is in the best interest of South Carolina counties to sign on to the EAC.** Participation in the EAC will allow counties to avoid the additional requirements that can affect economic development efforts, land use planning and growth issues, and federal funding of county projects.

1919 Thurmond Mall • P.O. Box 8207 • Columbia, SC 29202-8207
Phone: (803) 252-7255 • Fax: (803) 252-0379 • E-mail: scac@scac.state.sc.us • Web Site: http://www.sccounties.org

We encourage your county to review the DRAFT Early Action Compact and become a participant in this proactive effort. **Once a county signs on, they can request to be removed from the EAC at any time. EPA requires that the EAC be signed by December 31, 2002.** If you have any questions, please contact Kathy Williams at SCAC (1-800-922-6081) or Henry Phillips at DHEC (802-898-3260 or e-mail phillimh@dhec.state.sc.us). Additional information about this issue can be found at **www.scdhec.net/baq/eap.html**.

Sincerely,

Mike

Michael B. Cone
Executive Director

cc: Bobby Boland, County Administrator
James A. Joy, III, P. E., Chief, Bureau of Air Quality, DHEC

December 5, 2002

Dear Council Members:

The representatives of Upstate industry are concerned about the business consequences should Upstate counties be designated as "non-attainment areas" for air quality. Our business success depends in large part on our ability to expand and modify our manufacturing processes to meet the ever-changing needs of our customers. Often these changes require permit approvals from DHEC and EPA. Non-attainment, as we all learned at the Air Quality Summit II, will greatly extend the time required to obtain these approvals. Non-attainment will also increase the amount of time required to provide necessary infrastructure that is important to attract and retain industry.

We can all agree that manufacturing is a significant part of the economy in the Upstate, and much of the job growth that has occurred is the result of new manufacturing ventures and expansion of existing manufacturing facilities. Should the Upstate area become non-attainment, it is unlikely that significant manufacturing growth will occur in the non-attainment areas, and existing manufacturing facilities are not likely to proceed with significant future expansions.

Computer modeling performed by the South Carolina Department of Health and Environmental Control has shown that the Upstate counties can meet the new ground level ozone standard with the efforts that will likely be included in an early action plan. Consequently, the issue becomes a choice of two options: (1) do nothing and let the federal government's over burdensome non-attainment provisions control our area, or (2) take control of how our area achieves attainment without the unnecessary burden of the federal non-attainment restrictions.

For these reasons, we encourage the Anderson, Greenville and Spartanburg County Councils to partner with EPA, DHEC, industry and environmental organizations in the Upstate and execute an Early Action Compact prior to the December 31, 2002 deadline. Under the EAC, the Upstate can achieve improved air quality sooner and while avoiding the risk of business disruption that will inevitably be caused by non-attainment.

Thanks for your cooperation.

This letter received support—via e-mail—from the following organizations and representatives [see attached].

Steve Tenry
Plant Environmental Health and Safety Leader
Owens Corning

Ken Anderson
Safety & Environmental Director
Glen Raven Custom Fabrics, LLC

John L. Bella
Operations Manager
Hydro Aluminum North America

Pat Ashby
President
Carolina Cotton Works Inc.

Edward Donnelly
General Manager
BASF Corporation

David Rubin
Environmental Engineering Manager
Hexcel Schwebel Inc.

Jim Harris & Mike Forrester
District Managers
Piedmont Natural Gas Company

John Jordan
Chief Executive Officer
Para Chem

Dan Williams
Manager for Environmental Systems
Cryovac, Sealed Air Corporation

Clarence Batts
Plant Manager
BASF – Spartanburg Facility

David Justice
Environmental Manager
Bommer Industries, Inc.

Randy Britton
District Manager – Greenville Area
Duke Energy

LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA

Post Office Box 8453, Columbia SC 29202

Phone: (803) 929-0890, Fax: (803) 929-0173, E-mail: lwv@eh-a.com

December 9, 2002

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DEC 1 0 2002

Bureau of Air Quality

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Re: South Carolina's Early Action Plan for the 8-hour Ozone Standard

Dear Mr. Palmer:

Thank-you for the opportunity EPA has provided South Carolina to implement early measures to reduce emissions of ozone-forming pollutants in advance of federal requirements. We support the efforts of South Carolina Department of Health and Environmental Control (DHEC) in developing an Early Action State Implementation Plan, allowing local governments to make decisions regarding air quality that are tailored to the needs of the local area. We are committed to work with DHEC and our local government to ensure cleaner air sooner for the citizens of South Carolina.

If you have any questions please feel free to contact me at (803) 799-7050 or lsuggs@imgsc.com.

Sincerely,

Laurel M. Suggs
President

cc: James A. Joy, III, P.E., Chief, Bureau of Air Quality, DHEC

LOCAL LEAGUES AND MEMBER-AT-LARGE UNITS

Anderson County
Bluffton Area
Charleston Area
Clemson Area
Colleton County
Columbia Area
Darlington County
Florence Area
Georgetown County
Greenville County
Hilton Head Island
No. Beaufort County
Spartanburg County
Sumter County

ANDERSON
THE ELECTRIC CITY

Planning and Transportation Division

U.S. EPA REGION 4
OFFICE OF
REGIONAL ADMINISTRATOR

2002 DEC 26 P 2:53

12/16/2002

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nun Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Re: South Carolina's Early Action Plan for the 8-hour Ozone Standard

Dear Mr. Palmer:

Thank-you for the opportunity EPA has provided South Carolina to implement early measures to reduce emissions of ozone-forming pollutants in advance of federal requirements. We support the efforts of South Carolina Department of Health and Environmental Control (DHEC) in developing an Early Action State Implementation Plan, allowing local governments to make decisions regarding air quality that are tailored to the needs of the local area. We are committed to work with DHEC and our local government to ensure cleaner air sooner for the citizens of South Carolina.

If you have any questions please feel free to contact Mr. Maurice McKenzie at 864-231-2222 and/or mmckenzie@cityofandersonsc.com.

Sincerely,

Richard A. Shirley

Mayor Richard A. Shirley,
Chairman ANATS

cc: James A. Joy, III, P.E., Chief, Bureau of Air Quality

401 South Main Street • Anderson, SC 29624 • phone: 864-231-2222 • fax: 864-231-7627

SCDOT
South Carolina
Department of Transportation

U.S. EPA REGION 4
OFFICE OF
REGIONAL ADMINISTRATOR

December 23, 2002

2002 DEC 26 P 2: 54

South Carolina's Early Action Plan for the 8-hour Ozone Standard

Mr. J. I. Palmer, Jr., Regional Administrator
USEPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

Dear Mr. Palmer:

Thank you for the opportunity EPA has provided South Carolina to implement early measures to reduce emissions of ozone-forming pollutants in advance of federal requirements. We support the efforts of South Carolina Department of Health and Environmental Control (DHEC) in developing an Early Action State Implementation Plan, allowing local governments to make decisions regarding air quality that are tailored to the needs of the local area. We are committed to work with DHEC and our local government to ensure cleaner air sooner for the citizens of South Carolina.

If you have any questions please feel free to contact the SCDOT Director of Planning, Ron Patton, at (803) 737-1444.

Sincerely,

Elizabeth S. Mabry

Elizabeth S. Mabry
Executive Director

ESM: mmb

cc: James A. Joy, III, P.E., Chief, Bureau of Air Quality

File: Pln/RKP

Attachment 1 - F
Berkeley-Charleston-Dorchester

South Carolina

Early Action Compacts

December 2002

D H E C

PROMOTE PROTECT PROSPER

SOUTH CAROLINA'S 8-HOUR OZONE EARLY ACTION COMPACT

Berkeley County

The United States Environmental Protection Agency (EPA) has provided an option for areas currently meeting the 1-hour ozone standard, like those in South Carolina, to attain the 8-hour ozone standard by December 31, 2007, and obtain cleaner air sooner than federally mandated. This option offers a more expeditious time line for achieving emissions reductions than expected under the EPA's 8-hour ozone implementation rulemaking, while providing "fail-safe" provisions for the area to revert to the traditional State Implementation Plan (SIP) process if specific milestones are not met. Through the development of this Early Action Compact (EAC), local, state, and EPA officials agree to work together to develop and implement local and state early action plans. The plans will become a part of the state early action SIP to reduce ground-level ozone concentrations to comply with the 8-hour ozone standard by December 31, 2007, and maintain the standard beyond that date. Failure to meet the obligations outlined in this EAC will result in immediate reversion to the traditional non-attainment designation process as required in the Clean Air Act (CAA).

In an effort to provide this information to areas within South Carolina, the South Carolina Department of Health and Environmental Control (DHEC) held six public meetings throughout the state. The locations of the meetings were targeted to areas that could potentially be designated as non-attainment for the 8-hour ozone standard. The meetings were held in Columbia, Greenville, Florence, Rock Hill, Aiken and Charleston. EPA officials participated in five of the six meetings. The general public, local government representatives, industry representatives, and environmental interest groups attended the meetings. Prior to the meetings, DHEC issued a press release regarding the development of an early action SIP. Correspondence including a fact sheet was sent to all county administrators, Councils of Governments, Metropolitan Planning Organizations, public interest groups, industry representatives, other state agencies and others determined to be stakeholders in the process.

The Parties to this EAC are: Berkeley County, South Carolina Department of Health and Environmental Control (DHEC) and EPA.

I. General Provisions

A. The parties commit to develop, implement and maintain the early action SIP (which includes the local early action plans) providing EPA defers the effective date of the non-attainment designation and related requirements as long as all conditions of the EAC and key milestones are met.

B. If the potential area of non-attainment does not meet all the terms of the EAC, then it will forfeit its participation and will be subject to the full planning requirements under applicable CAA

traditional SIP processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking.

C. If the area has had the effective date of a non-attainment designation deferred and the area does not reach attainment of the standard by December 31, 2007, then the non-attainment designation will be effective. If the EPA's implementation schedule also requires a traditional SIP from areas on or before December 31, 2007, then a traditional SIP revision demonstrating attainment by the new attainment date will be due for the non-attainment area no later than December 31, 2008.

D. Before formal adoption into the early action SIP, this agreement may be modified or terminated by mutual consent of all parties, or any party may withdraw from the agreement by notifying other parties in writing. If a party's withdrawal from the agreement prevents remaining signatories from satisfying any of the terms and milestones of the original agreement, the agreement will be void, any deferred effective date of the non-attainment designation would be withdrawn and the area's non-attainment designation would become effective soon after. Upon termination or withdrawal from the EAC, the area will be subject to the full planning requirements under applicable CAA traditional processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking. The local government signatories will approve the local early action plans before submittal to DHEC for inclusion in the early action SIP. Once the local early action plan is incorporated into the early action SIP, any modifications will be treated as SIP revisions.

E. Execution of this EAC by each Party shall be by signature of each Party's authorized representative. This agreement remains in effect until December 31, 2007.

II. Early Action Compact Requirements

A. Milestones and Reporting

DHEC and local areas will assess progress towards developing and implementing the early action SIP and make a report available to EPA and the public every six months beginning in June 2003. As per EPA guidance, the key milestones for participation in the EAC are identified in the following table.

Local Plan /Early Action SIP Milestones		
DATE	**MILESTONE**	**RESPONSIBILITY**
December 31, 2002	EAC signed by all parties and submitted to EPA	Local/State/EPA
June 16, 2003	Discussion of control measures being considered to EPA	Local/State
March 31, 2004	Final local early action plan submitted to DHEC; copy to EPA	Local
December 31, 2004	Early Action State Implementation Plan submitted to EPA for incorporation into SIP	State
April 1, 2005	Local/State control strategies implemented no later than this date	Local/State
September 30, 2005	EPA takes final action on SIP submitted December 31, 2004	EPA
June 30, 2006	State submits progress report to EPA	State
December 31, 2007	Attainment of the 8-hour ozone standard	Local/State

B. Emissions Inventories

1. DHEC will be responsible for developing emissions inventories.

2. An initial modeling emissions inventory will be completed by December 31, 2002. This inventory includes:
   a. Emissions modeling data for a 1998 episode that is representative of a typical ozone season exceedance that meets the EPA episode selection guidance;
   b. MOBILE6 for determining on-road mobile emissions;
   c. NONROAD model data; and,
   d. Area source database utilizing population data allocated statewide.

3. A 2007 future year modeling emissions inventory will be developed by March 31, 2004. This inventory will sufficiently account for projected future growth in ozone precursor emissions through 2007, particularly from stationary, non-road and on-road mobile sources.

4. Additional inventories will be contingent upon legislative appropriations or other funding. Selection of specific episode inventories will be partially determined by the conceptual model, which reflects an analysis of meteorological conditions typical of high ozone events.

5. Emissions inventories will be compared and analyzed for trends in emission sources over time. The emissions inventory comparison and analysis will be completed by December 31, 2003.

C. Modeling

1. DHEC will be responsible for conducting the meteorological and air quality modeling analysis. DHEC will conduct the modeling analysis based on the "Draft Guidance on the use of Models and Other Analyses in Attainment Demonstrations for the 8-Hour Ozone NAAQS" (EPA-454/R-99-004, May 1999). The modeling will follow the guidance as facilitated by the EPA Regional Office.

2. Base case modeling will be completed by December 31, 2002. Future case modeling will be completed by October 31, 2003. One or more modeled control cases will be completed by January 31, 2004, with final revisions completed by March 31, 2004. All modeling will:
   - be SIP quality and perform within EPA's accepted margin of accuracy;
   - be carefully documented;
   - sufficiently account for projected future growth in ozone precursor emissions;
   - be accomplished by DHEC and reviewed by EPA; and,
   - be used to determine the effectiveness of NO_x and/or VOC reductions. The control case(s) will be used to determine the relative effectiveness of different emission reduction strategies and to aid in the selection of appropriate emission reduction strategies.

D. Control Strategies

1. All adopted Federal and State control strategies that have been or will be implemented by the December 31, 2007, attainment date will be included in base, future and control case modeling.

2. Additional local and state control strategies under consideration will be identified by June 16, 2003. The local and state control strategies selected will be implemented as soon as practical, but no later than April 1, 2005.

3. Local and state control strategies will be specific, quantified, permanent and enforceable. The strategies will also include specific implementation dates and detailed documentation and reporting processes.

4. Voluntary strategies can play a supporting role in the local early action plan and the early action SIP. If emission reductions from voluntary strategies are quantified and credit is taken for them in the local early action plan or the early action SIP, those emission reductions will be enforceable. Additional strategies must be implemented to meet those quantified reduction requirements if quantified voluntary strategies fail. This is true for all quantified emission reductions.

5. Local and state control strategies will be designed and implemented with full stakeholder participation.

6. Local and state control strategies will be incorporated by DHEC into the early action SIP. In the event that the local area desires to add, delete or substitute strategies after early action SIP submittal, the local area will request a modification. Local early action plan modifications will be treated as SIP revisions and facilitated by DHEC.

E. Maintenance for Growth

1. The early action SIP will include a component to address emissions growth at least five years beyond December 31, 2007, ensuring that the areas will remain in attainment of the 8-hour ozone standard during that period. Attainment maintenance analysis will be completed by January 31, 2004, with final revisions completed by March 31, 2004. The analysis will employ one or more of the following or any other appropriate techniques necessary to make such a demonstration:
   a. Modeling analysis showing ozone levels below the 8-hour ozone standard in 2012;
   b. An annual review of growth (especially mobile and stationary source) to ensure control measures and growth assumptions are adequate;
   c. Identification and quantification of federal, state, and/or local measures indicating sufficient reductions to offset growth estimates; or,
   d. Any other appropriate techniques necessary to make such a determination.

2. The early action SIP must also detail a continuing planning process that includes modeling updates and modeling assumption verification (particularly growth assumptions). Modeling updates and planning processes must consider and evaluate the following:
   a. All relevant actual new point sources;
   b. Impacts from potential new source growth; and,
   c. Future transportation patterns and their impact on air quality in a manner that is consistent with the most current adopted Long Range Transportation Plan and most current trend and projections of local motor vehicle emissions.

3. If the review of emissions growth in conjunction with the continuing planning process demonstrates that adopted emission reduction strategies are inadequate to address growth in emissions, additional measures will be added to the early action plan. Local planning processes should prepare for this possibility.

4. In the event that the continuing planning process identifies the need to add, delete, or substitute control strategies after the local early action plan has been incorporated into the early action SIP, the local area will initiate, and DHEC will facilitate a SIP revision to accommodate changes.

F. Public Involvement

1. Public involvement has been and will continue to be strongly encouraged during the planning and implementation process.

2. Public awareness programs will be used to provide opportunities for involvement in the planning process, implementation of control strategies, and any other issues important to the area.

3. Interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) will continue to be involved in the planning process as early as possible. Planning meetings will be open to the public, with posted meeting times and locations. Early action SIP drafts will be publicly available, and the drafting process will have sufficient opportunities for comment from all interested stakeholders.

4. Opportunities for public comment on the proposed early action SIP will be provided and will follow the traditional SIP revision process as implemented by DHEC.

5. Semi-annual reports detailing, at a minimum, progress toward key milestones, will be made available to the public.

6. DHEC has established and will maintain a website for South Carolina's Early Action Plan for the 8-hour ozone standard, located at www.scdhec.net/baq/eap.html.

III. Local Government Responsibilities

The local governments agree to develop and implement a local early action plan that will promote the area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. The local governments will develop this plan in coordination with the DHEC, EPA, stakeholders and the public. The local early action plan will include a process to evaluate the effectiveness and maintain long-term compliance with the standard.

After all adopted Federal and State controls that have been or will be implemented by the attainment date of December 31, 2007, are accounted for in the modeling, the local area must adopt additional local controls, as necessary to demonstrate attainment of the 8-hour ozone standard by December 31, 2007. Local controls under consideration must be identified and described by June 16, 2003. These measures must be included in the semi-annual report made available to the public.

The draft local early action plan will be submitted to DHEC by August 31, 2003. The final local early action plan will be submitted to DHEC, with a copy forwarded to EPA, by March 31, 2004. The adopted local early action plan will be included in the early action SIP due December 31, 2004.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), the responsible party will notify all other signatories in writing as soon as possible.

IV. The South Carolina Department of Health and Environmental Control

DHEC agrees to develop and implement a state early action SIP that will demonstrate the participating area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. DHEC will develop this plan in coordination with the local governments, EPA, stakeholders and the public. The state early action SIP will include a process to monitor and maintain long-term compliance with the standard.

It is the responsibility of each state under the CAA to ensure attainment with all National Ambient Air Quality Standards. At any such time that an area is deemed non-attainment, the state will be required to develop a plan to return the area(s) to attainment in accordance with the CAA. If applicable, South Carolina is committed to working with adjacent states to assure mutual attainment of national standards.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), DHEC will notify all other signatories in writing as soon as possible.

DHEC will provide support to areas throughout the planning and implementation process by:

1 Developing emission inventories, modeling, trend analysis, and quantification and comparison of control measures.

2. Providing necessary information on all federal and state adopted emission reduction measures, which affect the area.

3. Providing technical and strategic assistance, as appropriate, in the selection and implementation of control strategies.

4. Providing technical and planning assistance in developing and implementing processes to address the impact of emissions growth beyond the attainment date.

5. Maintaining monitors and reporting and analysis of monitoring data.

6. Promoting public awareness efforts.

7. Coordinating communication between local areas and the EPA to facilitate continuing the EPA review of local work.

8. Ensuring expeditious review of local early action plan(s), and if deemed adequate, proposing modification of the early action SIP to adopt the early action plan.

9. Adopting control measures into the early action SIP as expeditiously as possible. The final complete early action SIP revision must be completed, adopted, and submitted by the state to the EPA by December 31, 2004.

10. Tracking progress. If any milestone is missed and EPA withdraws the deferred effective date, thereby triggering a non-attainment designation and applicable statutory requirements, the state will strive to submit a traditional non-attainment SIP within one year. However, due to the South Carolina legislative review process, it may take at least eighteen months.

11. Working concurrently with areas not electing to participate in the early action SIP process in preparing the traditional SIP submittal as required by the CAA.

V. The Environmental Protection Agency

The EPA will participate by:

1. Recognizing the local area's and state's commitment to voluntarily adopt an early, substantive, enforceable, and scientifically-based attainment plan with early implementation of control measures by becoming a party to the EAC developed in conformance with South Carolina's Protocol for Early Action Compacts.

2. Providing technical assistance to the state(s) and local area(s) in the development of the early action plan.

3. Reviewing and approving the completed early action SIP by no later than September 30, 2005.

4. Deferring the effective date of non-attainment designation and related requirements for participating areas that fail to meet the 8-hour ozone standard as long as all terms and key milestones of the EAC are being met, including submission of the early action SIP revision by December 31, 2004.

5. Designating the area expeditiously as attainment and imposing no additional requirements, provided that the monitors in the area reflect attainment by December 31, 2007.

6. Taking action to withdraw the deferred effective date if the area violates the standard as of December 31, 2007, and the area has had the effective date of its non-attainment designation deferred. The area's non-attainment designation will become effective soon after.

7. Ensuring appropriate credit in the traditional SIP process for all emissions reductions from measures implemented in the early action SIP if the area does not meet all the terms of the EAC; including meeting agreed-upon key milestones and is designated (or re-designated if necessary) according to the EPA's 8-hour ozone implementation guidelines. The EPA will offer such an area no delays, exemptions, or other favorable treatment because of its participation in the EAC.

8. Not allowing any area to renew their EAC after December 31, 2007, or initiate a new compact if it has previously forfeited its participation.

VI. Signatures

United States Environmental Protection Agency	Regional Administrator Title	12-30-02 Date
South Carolina Department of Health and Environmental Control	Deputy Commissioner Title	12/27/02 Date
Berkeley County Representative	County Supervisor Title	December 20, 2002 Date

SOUTH CAROLINA'S 8-HOUR OZONE
EARLY ACTION COMPACT
Charleston County

The United States Environmental Protection Agency (EPA) has provided an option for areas currently meeting the 1-hour ozone standard, like those in South Carolina, to attain the 8-hour ozone standard by December 31, 2007, and obtain cleaner air sooner than federally mandated. This option offers a more expeditious time line for achieving emissions reductions than expected under the EPA's 8-hour ozone implementation rulemaking, while providing "fail-safe" provisions for the area to revert to the traditional State Implementation Plan (SIP) process if specific milestones are not met. Through the development of this Early Action Compact (EAC), local, state, and EPA officials agree to work together to develop and implement local and state early action plans. The plans will become a part of the state early action SIP to reduce ground-level ozone concentrations to comply with the 8-hour ozone standard by December 31, 2007, and maintain the standard beyond that date. Failure to meet the obligations outlined in this EAC will result in immediate reversion to the traditional non-attainment designation process as required in the Clean Air Act (CAA).

In an effort to provide this information to areas within South Carolina, the South Carolina Department of Health and Environmental Control (DHEC) held six public meetings throughout the state. The locations of the meetings were targeted to areas that could potentially be designated as non-attainment for the 8-hour ozone standard. The meetings were held in Columbia, Greenville, Florence, Rock Hill, Aiken and Charleston. EPA officials participated in five of the six meetings. The general public, local government representatives, industry representatives, and environmental interest groups attended the meetings. Prior to the meetings, DHEC issued a press release regarding the development of an early action SIP. Correspondence including a fact sheet was sent to all county administrators, Councils of Governments, Metropolitan Planning Organizations, public interest groups, industry representatives, other state agencies and others determined to be stakeholders in the process.

The Parties to this (EAC) are: Charleston County, South Carolina Department of Health and Environmental Control (DHEC) and EPA.

I. General Provisions

A. The parties commit to develop, implement and maintain the early action SIP (which includes the local early action plans) providing EPA defers the effective date of the non-attainment designation and related requirements as long as all conditions of the EAC and key milestones are met.

B. If the potential area of non-attainment does not meet all the terms of the EAC, then it will forfeit its participation and will be subject to the full planning requirements under applicable CAA

traditional SIP processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking.

C. If the area has had the effective date of a non-attainment designation deferred and the area does not reach attainment of the standard by December 31, 2007, then the non-attainment designation will be effective. If the EPA's implementation schedule also requires a traditional SIP from areas on or before December 31, 2007, then a traditional SIP revision demonstrating attainment by the new attainment date will be due for the non-attainment area no later than December 31, 2008.

D. Before formal adoption into the early action SIP, this agreement may be modified or terminated by mutual consent of all parties, or any party may withdraw from the agreement by notifying other parties in writing. If a party's withdrawal from the agreement prevents remaining signatories from satisfying any of the terms and milestones of the original agreement, the agreement will be void, any deferred effective date of the non-attainment designation would be withdrawn and the area's non-attainment designation would become effective soon after. Upon termination or withdrawal from the EAC, the area will be subject to the full planning requirements under applicable CAA traditional processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking. The local government signatories will approve the local early action plans before submittal to DHEC for inclusion in the early action SIP. Once the local early action plan is incorporated into the early action SIP, any modifications will be treated as SIP revisions.

E. Execution of this EAC by each Party shall be by signature of each Party's authorized representative. This agreement remains in effect until December 31, 2007.

II. Early Action Compact Requirements

A. Milestones and Reporting

DHEC and local areas will assess progress towards developing and implementing the early action SIP and make a report available to EPA and the public every six months beginning in June 2003. As per EPA guidance, the key milestones for participation in the EAC are identified in the following table.

Local Plan /Early Action SIP Milestones		
DATE	**MILESTONE**	**RESPONSIBILITY**
December 31, 2002	EAC signed by all parties and submitted to EPA	Local/State/EPA
June 16, 2003	Discussion of control measures being considered to EPA	Local/State
March 31, 2004	Final local early action plan submitted to DHEC; copy to EPA	Local
December 31, 2004	Early Action State Implementation Plan submitted to EPA for incorporation into SIP	State
April 1, 2005	Local/State control strategies implemented no later than this date	Local/State
September 30, 2005	EPA takes final action on SIP submitted December 31, 2004	EPA
June 30, 2006	State submits progress report to EPA	State
December 31, 2007	Attainment of the 8-hour ozone standard	Local/State

B. Emissions Inventories

1. DHEC will be responsible for developing emissions inventories.

2. An initial modeling emissions inventory will be completed by December 31, 2002. This inventory includes:
   a. Emissions modeling data for a 1998 episode that is representative of a typical ozone season exceedance that meets the EPA episode selection guidance;
   b. MOBILE6 for determining on-road mobile emissions;
   c. NONROAD model data; and,
   d. Area source database utilizing population data allocated statewide.

3. A 2007 future year modeling emissions inventory will be developed by March 31, 2004. This inventory will sufficiently account for projected future growth in ozone precursor emissions through 2007, particularly from stationary, non-road and on-road mobile sources.

4. Additional inventories will be contingent upon legislative appropriations or other funding. Selection of specific episode inventories will be partially determined by the conceptual model, which reflects an analysis of meteorological conditions typical of high ozone events.

5. Emissions inventories will be compared and analyzed for trends in emission sources over time. The emissions inventory comparison and analysis will be completed by December 31, 2003.

C. Modeling

1. DHEC will be responsible for conducting the meteorological and air quality modeling analysis. DHEC will conduct the modeling analysis based on the "Draft Guidance on the use of Models and Other Analyses in Attainment Demonstrations for the 8-Hour Ozone NAAQS" (EPA-454/R-99-004, May 1999). The modeling will follow the guidance as facilitated by the EPA Regional Office.

2. Base case modeling will be completed by December 31, 2002. Future case modeling will be completed by October 31, 2003. One or more modeled control cases will be completed by January 31, 2004, with final revisions completed by March 31, 2004. All modeling will:
   - be SIP quality and perform within EPA's accepted margin of accuracy;
   - be carefully documented;
   - sufficiently account for projected future growth in ozone precursor emissions;
   - be accomplished by DHEC and reviewed by EPA; and,
   - be used to determine the effectiveness of NO_x and/or VOC reductions. The control case(s) will be used to determine the relative effectiveness of different emission reduction strategies and to aid in the selection of appropriate emission reduction strategies.

D. Control Strategies

1. All adopted Federal and State control strategies that have been or will be implemented by the December 31, 2007, attainment date will be included in base, future and control case modeling.

2. Additional local and state control strategies under consideration will be identified by June 16, 2003. The local and state control strategies selected will be implemented as soon as practical, but no later than April 1, 2005.

3. Local and state control strategies will be specific, quantified, permanent and enforceable. The strategies will also include specific implementation dates and detailed documentation and reporting processes.

4. Voluntary strategies can play a supporting role in the local early action plan and the early action SIP. If emission reductions from voluntary strategies are quantified and credit is taken for them in the local early action plan or the early action SIP, those emission reductions will be enforceable. Additional strategies must be implemented to meet those quantified reduction requirements if quantified voluntary strategies fail. This is true for all quantified emission reductions.

5. Local and state control strategies will be designed and implemented with full stakeholder participation.

6. Local and state control strategies will be incorporated by DHEC into the early action SIP. In the event that the local area desires to add, delete or substitute strategies after early action SIP submittal, the local area will request a modification. Local early action plan modifications will be treated as SIP revisions and facilitated by DHEC.

E. Maintenance for Growth

1. The early action SIP will include a component to address emissions growth at least five years beyond December 31, 2007, ensuring that the areas will remain in attainment of the 8-hour ozone standard during that period. Attainment maintenance analysis will be completed by January 31, 2004, with final revisions completed by March 31, 2004. The analysis will employ one or more of the following or any other appropriate techniques necessary to make such a demonstration:
   a. Modeling analysis showing ozone levels below the 8-hour ozone standard in 2012;
   b. An annual review of growth (especially mobile and stationary source) to ensure control measures and growth assumptions are adequate;
   c. Identification and quantification of federal, state, and/or local measures indicating sufficient reductions to offset growth estimates; or,
   d. Any other appropriate techniques necessary to make such a determination.

2. The early action SIP must also detail a continuing planning process that includes modeling updates and modeling assumption verification (particularly growth assumptions). Modeling updates and planning processes must consider and evaluate the following:
   a. All relevant actual new point sources;
   b. Impacts from potential new source growth; and,
   c. Future transportation patterns and their impact on air quality in a manner that is consistent with the most current adopted Long Range Transportation Plan and most current trend and projections of local motor vehicle emissions.

3. If the review of emissions growth in conjunction with the continuing planning process demonstrates that adopted emission reduction strategies are inadequate to address growth in emissions, additional measures will be added to the early action plan. Local planning processes should prepare for this possibility.

4. In the event that the continuing planning process identifies the need to add, delete, or substitute control strategies after the local early action plan has been incorporated into the early action SIP, the local area will initiate, and DHEC will facilitate a SIP revision to accommodate changes.

F. Public Involvement

1. Public involvement has been and will continue to be strongly encouraged during the planning and implementation process.

2. Public awareness programs will be used to provide opportunities for involvement in the planning process, implementation of control strategies, and any other issues important to the area.

3. Interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) will continue to be involved in the planning process as early as possible. Planning meetings will be open to the public, with posted meeting times and locations. Early action SIP drafts will be publicly available, and the drafting process will have sufficient opportunities for comment from all interested stakeholders.

4. Opportunities for public comment on the proposed early action SIP will be provided and will follow the traditional SIP revision process as implemented by DHEC.

5. Semi-annual reports detailing, at a minimum, progress toward key milestones, will be made available to the public.

6. DHEC has established and will maintain a website for South Carolina's Early Action Plan for the 8-hour ozone standard, located at www.scdhec.net/baq/eap.html.

III. Local Government Responsibilities

The local governments agree to develop and implement a local early action plan that will promote the area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. The local governments will develop this plan in coordination with the DHEC, EPA, stakeholders and the public. The local early action plan will include a process to evaluate the effectiveness and maintain long-term compliance with the standard.

After all adopted Federal and State controls that have been or will be implemented by the attainment date of December 31, 2007, are accounted for in the modeling, the local area must adopt additional local controls, as necessary to demonstrate attainment of the 8-hour ozone standard by December 31, 2007. Local controls under consideration must be identified and described by June 16, 2003. These measures must be included in the semi-annual report made available to the public.

The draft local early action plan will be submitted to DHEC by August 31, 2003. The final local early action plan will be submitted to DHEC, with a copy forwarded to EPA, by March 31, 2004. The adopted local early action plan will be included in the early action SIP due December 31, 2004.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), the responsible party will notify all other signatories in writing as soon as possible.

IV. The South Carolina Department of Health and Environmental Control

DHEC agrees to develop and implement a state early action SIP that will demonstrate the participating area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. DHEC will develop this plan in coordination with the local governments, EPA, stakeholders and the public. The state early action SIP will include a process to monitor and maintain long-term compliance with the standard.

It is the responsibility of each state under the CAA to ensure attainment with all National Ambient Air Quality Standards. At any such time that an area is deemed non-attainment, the state will be required to develop a plan to return the area(s) to attainment in accordance with the CAA. If applicable, South Carolina is committed to working with adjacent states to assure mutual attainment of national standards.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), DHEC will notify all other signatories in writing as soon as possible.

DHEC will provide support to areas throughout the planning and implementation process by:

1 Developing emission inventories, modeling, trend analysis, and quantification and comparison of control measures.

2. Providing necessary information on all federal and state adopted emission reduction measures, which affect the area.

3. Providing technical and strategic assistance, as appropriate, in the selection and implementation of control strategies.

4. Providing technical and planning assistance in developing and implementing processes to address the impact of emissions growth beyond the attainment date.

5. Maintaining monitors and reporting and analysis of monitoring data.

6. Promoting public awareness efforts.

7. Coordinating communication between local areas and the EPA to facilitate continuing the EPA review of local work.

8. Ensuring expeditious review of local early action plan(s), and if deemed adequate, proposing modification of the early action SIP to adopt the early action plan.

9. Adopting control measures into the early action SIP as expeditiously as possible. The final complete early action SIP revision must be completed, adopted, and submitted by the state to the EPA by December 31, 2004.

10. Tracking progress. If any milestone is missed and EPA withdraws the deferred effective date, thereby triggering a non-attainment designation and applicable statutory requirements, the state will strive to submit a traditional non-attainment SIP within one year. However, due to the South Carolina legislative review process, it may take at least eighteen months.

11. Working concurrently with areas not electing to participate in the early action SIP process in preparing the traditional SIP submittal as required by the CAA.

V. The Environmental Protection Agency

The EPA will participate by:

1. Recognizing the local area's and state's commitment to voluntarily adopt an early, substantive, enforceable, and scientifically-based attainment plan with early implementation of control measures by becoming a party to the EAC developed in conformance with South Carolina's Protocol for Early Action Compacts.

2. Providing technical assistance to the state(s) and local area(s) in the development of the early action plan.

3. Reviewing and approving the completed early action SIP by no later than September 30, 2005.

4. Deferring the effective date of non-attainment designation and related requirements for participating areas that fail to meet the 8-hour ozone standard as long as all terms and key milestones of the EAC are being met, including submission of the early action SIP revision by December 31, 2004.

5. Designating the area expeditiously as attainment and imposing no additional requirements, provided that the monitors in the area reflect attainment by December 31, 2007.

6. Taking action to withdraw the deferred effective date if the area violates the standard as of December 31, 2007, and the area has had the effective date of its non-attainment designation deferred. The area's non-attainment designation will become effective soon after.

7. Ensuring appropriate credit in the traditional SIP process for all emissions reductions from measures implemented in the early action SIP if the area does not meet all the terms of the EAC; including meeting agreed-upon key milestones and is designated (or re-designated if necessary) according to the EPA's 8-hour ozone implementation guidelines. The EPA will offer such an area no delays, exemptions, or other favorable treatment because of its participation in the EAC.

8. Not allowing any area to renew their EAC after December 31, 2007, or initiate a new compact if it has previously forfeited its participation.

VI. Signatures

United States Environmental Protection Agency	Regional Administrator Title	12-30-02 Date
South Carolina Department of Health and Environmental Control	Deputy Commissioner Title	12/27/02 Date
Charleston County Representative	County Administrator Title	12/23/02 Date

SOUTH CAROLINA'S 8-HOUR OZONE EARLY ACTION COMPACT

Dorchester County

The United States Environmental Protection Agency (EPA) has provided an option for areas currently meeting the 1-hour ozone standard, like those in South Carolina, to attain the 8-hour ozone standard by December 31, 2007, and obtain cleaner air sooner than federally mandated. This option offers a more expeditious time line for achieving emissions reductions than expected under the EPA's 8-hour ozone implementation rulemaking, while providing "fail-safe" provisions for the area to revert to the traditional State Implementation Plan (SIP) process if specific milestones are not met. Through the development of this Early Action Compact (EAC), local, state, and EPA officials agree to work together to develop and implement local and state early action plans. The plans will become a part of the state early action SIP to reduce ground-level ozone concentrations to comply with the 8-hour ozone standard by December 31, 2007, and maintain the standard beyond that date. Failure to meet the obligations outlined in this EAC will result in immediate reversion to the traditional non-attainment designation process as required in the Clean Air Act (CAA).

In an effort to provide this information to areas within South Carolina, the South Carolina Department of Health and Environmental Control (DHEC) held six public meetings throughout the state. The locations of the meetings were targeted to areas that could potentially be designated as non-attainment for the 8-hour ozone standard. The meetings were held in Columbia, Greenville, Florence, Rock Hill, Aiken and Charleston. EPA officials participated in five of the six meetings. The general public, local government representatives, industry representatives, and environmental interest groups attended the meetings. Prior to the meetings, DHEC issued a press release regarding the development of an early action SIP. Correspondence including a fact sheet was sent to all county administrators, Councils of Governments, Metropolitan Planning Organizations, public interest groups, industry representatives, other state agencies and others determined to be stakeholders in the process.

The Parties to this EAC are: Dorchester County, South Carolina Department of Health and Environmental Control (DHEC) and EPA.

I. General Provisions

A. The parties commit to develop, implement and maintain the early action SIP (which includes the local early action plans) providing EPA defers the effective date of the non-attainment designation and related requirements as long as all conditions of the EAC and key milestones are met.

B. If the potential area of non-attainment does not meet all the terms of the EAC, then it will forfeit its participation and will be subject to the full planning requirements under applicable CAA

traditional SIP processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking.

C. If the area has had the effective date of a non-attainment designation deferred and the area does not reach attainment of the standard by December 31, 2007, then the non-attainment designation will be effective. If the EPA's implementation schedule also requires a traditional SIP from areas on or before December 31, 2007, then a traditional SIP revision demonstrating attainment by the new attainment date will be due for the non-attainment area no later than December 31, 2008.

D. Before formal adoption into the early action SIP, this agreement may be modified or terminated by mutual consent of all parties, or any party may withdraw from the agreement by notifying other parties in writing. If a party's withdrawal from the agreement prevents remaining signatories from satisfying any of the terms and milestones of the original agreement, the agreement will be void, any deferred effective date of the non-attainment designation would be withdrawn and the area's non-attainment designation would become effective soon after. Upon termination or withdrawal from the EAC, the area will be subject to the full planning requirements under applicable CAA traditional processes including requirements defined as part of the EPA's 8-hour ozone implementation rulemaking. The local government signatories will approve the local early action plans before submittal to DHEC for inclusion in the early action SIP. Once the local early action plan is incorporated into the early action SIP, any modifications will be treated as SIP revisions.

E. Execution of this EAC by each Party shall be by signature of each Party's authorized representative. This agreement remains in effect until December 31, 2007.

II. Early Action Compact Requirements

A. Milestones and Reporting

DHEC and local areas will assess progress towards developing and implementing the early action SIP and make a report available to EPA and the public every six months beginning in June 2003. As per EPA guidance, the key milestones for participation in the EAC are identified in the following table.

Local Plan /Early Action SIP Milestones		
DATE	**MILESTONE**	**RESPONSIBILITY**
December 31, 2002	EAC signed by all parties and submitted to EPA	Local/State/EPA
June 16, 2003	Discussion of control measures being considered to EPA	Local/State
March 31, 2004	Final local early action plan submitted to DHEC; copy to EPA	Local
December 31, 2004	Early Action State Implementation Plan submitted to EPA for incorporation into SIP	State
April 1, 2005	Local/State control strategies implemented no later than this date	Local/State
September 30, 2005	EPA takes final action on SIP submitted December 31, 2004	EPA
June 30, 2006	State submits progress report to EPA	State
December 31, 2007	Attainment of the 8-hour ozone standard	Local/State

B. Emissions Inventories

1. DHEC will be responsible for developing emissions inventories.

2. An initial modeling emissions inventory will be completed by December 31, 2002. This inventory includes:
   a. Emissions modeling data for a 1998 episode that is representative of a typical ozone season exceedance that meets the EPA episode selection guidance;
   b. MOBILE6 for determining on-road mobile emissions;
   c. NONROAD model data; and,
   d. Area source database utilizing population data allocated statewide.

3. A 2007 future year modeling emissions inventory will be developed by March 31, 2004. This inventory will sufficiently account for projected future growth in ozone precursor emissions through 2007, particularly from stationary, non-road and on-road mobile sources.

4. Additional inventories will be contingent upon legislative appropriations or other funding. Selection of specific episode inventories will be partially determined by the conceptual model, which reflects an analysis of meteorological conditions typical of high ozone events.

5. Emissions inventories will be compared and analyzed for trends in emission sources over time. The emissions inventory comparison and analysis will be completed by December 31, 2003.

C. Modeling

1. DHEC will be responsible for conducting the meteorological and air quality modeling analysis. DHEC will conduct the modeling analysis based on the "Draft Guidance on the use of Models and Other Analyses in Attainment Demonstrations for the 8-Hour Ozone NAAQS" (EPA-454/R-99-004, May 1999). The modeling will follow the guidance as facilitated by the EPA Regional Office.

2. Base case modeling will be completed by December 31, 2002. Future case modeling will be completed by October 31, 2003. One or more modeled control cases will be completed by January 31, 2004, with final revisions completed by March 31, 2004. All modeling will:
   - be SIP quality and perform within EPA's accepted margin of accuracy;
   - be carefully documented;
   - sufficiently account for projected future growth in ozone precursor emissions;
   - be accomplished by DHEC and reviewed by EPA; and,
   - be used to determine the effectiveness of NO_x and/or VOC reductions. The control case(s) will be used to determine the relative effectiveness of different emission reduction strategies and to aid in the selection of appropriate emission reduction strategies.

D. Control Strategies

1. All adopted Federal and State control strategies that have been or will be implemented by the December 31, 2007, attainment date will be included in base, future and control case modeling.

2. Additional local and state control strategies under consideration will be identified by June 16, 2003. The local and state control strategies selected will be implemented as soon as practical, but no later than April 1, 2005.

3. Local and state control strategies will be specific, quantified, permanent and enforceable. The strategies will also include specific implementation dates and detailed documentation and reporting processes.

4. Voluntary strategies can play a supporting role in the local early action plan and the early action SIP. If emission reductions from voluntary strategies are quantified and credit is taken for them in the local early action plan or the early action SIP, those emission reductions will be enforceable. Additional strategies must be implemented to meet those quantified reduction requirements if quantified voluntary strategies fail. This is true for all quantified emission reductions.

5. Local and state control strategies will be designed and implemented with full stakeholder participation.

6. Local and state control strategies will be incorporated by DHEC into the early action SIP. In the event that the local area desires to add, delete or substitute strategies after early action SIP submittal, the local area will request a modification. Local early action plan modifications will be treated as SIP revisions and facilitated by DHEC.

E. Maintenance for Growth

1. The early action SIP will include a component to address emissions growth at least five years beyond December 31, 2007, ensuring that the areas will remain in attainment of the 8-hour ozone standard during that period. Attainment maintenance analysis will be completed by January 31, 2004, with final revisions completed by March 31, 2004. The analysis will employ one or more of the following or any other appropriate techniques necessary to make such a demonstration:
   a. Modeling analysis showing ozone levels below the 8-hour ozone standard in 2012;
   b. An annual review of growth (especially mobile and stationary source) to ensure control measures and growth assumptions are adequate;
   c. Identification and quantification of federal, state, and/or local measures indicating sufficient reductions to offset growth estimates; or,
   d. Any other appropriate techniques necessary to make such a determination.

2. The early action SIP must also detail a continuing planning process that includes modeling updates and modeling assumption verification (particularly growth assumptions). Modeling updates and planning processes must consider and evaluate the following:
   a. All relevant actual new point sources;
   b. Impacts from potential new source growth; and,
   c. Future transportation patterns and their impact on air quality in a manner that is consistent with the most current adopted Long Range Transportation Plan and most current trend and projections of local motor vehicle emissions.

3. If the review of emissions growth in conjunction with the continuing planning process demonstrates that adopted emission reduction strategies are inadequate to address growth in emissions, additional measures will be added to the early action plan. Local planning processes should prepare for this possibility.

4. In the event that the continuing planning process identifies the need to add, delete, or substitute control strategies after the local early action plan has been incorporated into the early action SIP, the local area will initiate, and DHEC will facilitate a SIP revision to accommodate changes.

F. Public Involvement

1. Public involvement has been and will continue to be strongly encouraged during the planning and implementation process.

2. Public awareness programs will be used to provide opportunities for involvement in the planning process, implementation of control strategies, and any other issues important to the area.

3. Interested stakeholders (i.e., local, state, and federal government, citizens, public interest groups, and the business community) will continue to be involved in the planning process as early as possible. Planning meetings will be open to the public, with posted meeting times and locations. Early action SIP drafts will be publicly available, and the drafting process will have sufficient opportunities for comment from all interested stakeholders.

4. Opportunities for public comment on the proposed early action SIP will be provided and will follow the traditional SIP revision process as implemented by DHEC.

5. Semi-annual reports detailing, at a minimum, progress toward key milestones, will be made available to the public.

6. DHEC has established and will maintain a website for South Carolina's Early Action Plan for the 8-hour ozone standard, located at www.scdhec.net/baq/eap.html.

III. Local Government Responsibilities

The local governments agree to develop and implement a local early action plan that will promote the area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. The local governments will develop this plan in coordination with the DHEC, EPA, stakeholders and the public. The local early action plan will include a process to evaluate the effectiveness and maintain long-term compliance with the standard.

After all adopted Federal and State controls that have been or will be implemented by the attainment date of December 31, 2007, are accounted for in the modeling, the local area must adopt additional local controls, as necessary to demonstrate attainment of the 8-hour ozone standard by December 31, 2007. Local controls under consideration must be identified and described by June 16, 2003. These measures must be included in the semi-annual report made available to the public.

The draft local early action plan will be submitted to DHEC by August 31, 2003. The final local early action plan will be submitted to DHEC, with a copy forwarded to EPA, by March 31, 2004. The adopted local early action plan will be included in the early action SIP due December 31, 2004.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), the responsible party will notify all other signatories in writing as soon as possible.

IV. The South Carolina Department of Health and Environmental Control

DHEC agrees to develop and implement a state early action SIP that will demonstrate the participating area's attainment by December 31, 2007, of the 8-hour ozone standard and maintenance until at least 2012. DHEC will develop this plan in coordination with the local governments, EPA, stakeholders and the public. The state early action SIP will include a process to monitor and maintain long-term compliance with the standard.

It is the responsibility of each state under the CAA to ensure attainment with all National Ambient Air Quality Standards. At any such time that an area is deemed non-attainment, the state will be required to develop a plan to return the area(s) to attainment in accordance with the CAA. If applicable, South Carolina is committed to working with adjacent states to assure mutual attainment of national standards.

In the event a development or issue arises that may impact performance or progress toward key milestones (including if a key milestone will be or has been missed and/or if a termination or modification has been requested), DHEC will notify all other signatories in writing as soon as possible.

DHEC will provide support to areas throughout the planning and implementation process by:

1 Developing emission inventories, modeling, trend analysis, and quantification and comparison of control measures.

2. Providing necessary information on all federal and state adopted emission reduction measures, which affect the area.

3. Providing technical and strategic assistance, as appropriate, in the selection and implementation of control strategies.

4. Providing technical and planning assistance in developing and implementing processes to address the impact of emissions growth beyond the attainment date.

5. Maintaining monitors and reporting and analysis of monitoring data.

6. Promoting public awareness efforts.

7. Coordinating communication between local areas and the EPA to facilitate continuing the EPA review of local work.

8. Ensuring expeditious review of local early action plan(s), and if deemed adequate, proposing modification of the early action SIP to adopt the early action plan.

9. Adopting control measures into the early action SIP as expeditiously as possible. The final complete early action SIP revision must be completed, adopted, and submitted by the state to the EPA by December 31, 2004.

10. Tracking progress. If any milestone is missed and EPA withdraws the deferred effective date, thereby triggering a non-attainment designation and applicable statutory requirements, the state will strive to submit a traditional non-attainment SIP within one year. However, due to the South Carolina legislative review process, it may take at least eighteen months.

11. Working concurrently with areas not electing to participate in the early action SIP process in preparing the traditional SIP submittal as required by the CAA.

V. The Environmental Protection Agency

The EPA will participate by:

1. Recognizing the local area's and state's commitment to voluntarily adopt an early, substantive, enforceable, and scientifically-based attainment plan with early implementation of control measures by becoming a party to the EAC developed in conformance with South Carolina's Protocol for Early Action Compacts.

2. Providing technical assistance to the state(s) and local area(s) in the development of the early action plan.

3. Reviewing and approving the completed early action SIP by no later than September 30, 2005.

4. Deferring the effective date of non-attainment designation and related requirements for participating areas that fail to meet the 8-hour ozone standard as long as all terms and key milestones of the EAC are being met, including submission of the early action SIP revision by December 31, 2004.

5. Designating the area expeditiously as attainment and imposing no additional requirements, provided that the monitors in the area reflect attainment by December 31, 2007.

6. Taking action to withdraw the deferred effective date if the area violates the standard as of December 31, 2007, and the area has had the effective date of its non-attainment designation deferred. The area's non-attainment designation will become effective soon after.

7. Ensuring appropriate credit in the traditional SIP process for all emissions reductions from measures implemented in the early action SIP if the area does not meet all the terms of the EAC; including meeting agreed-upon key milestones and is designated (or re-designated if necessary) according to the EPA's 8-hour ozone implementation guidelines. The EPA will offer such an area no delays, exemptions, or other favorable treatment because of its participation in the EAC.

8. Not allowing any area to renew their EAC after December 31, 2007, or initiate a new compact if it has previously forfeited its participation.

VI. Signatures

United States Environmental Protection Agency	Regional Administrator Title	12-30-02 Date
South Carolina Department of Health and Environmental Control	Deputy Commissioner Title	12/27/02 Date
Dorchester County Representative	Administrator Title	12/20/02 Date