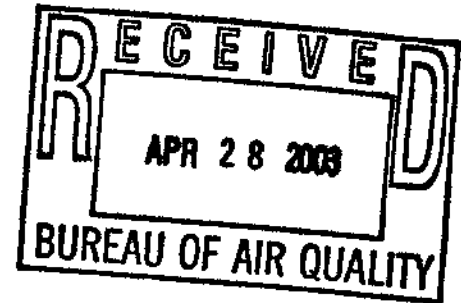




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

APR 25 2003



4APT-ATMB

James A. Joy, III, P.E., Chief
Bureau of Air Quality Control
South Carolina Department of
Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Dear Mr. Joy:

The purpose of this letter is to inform you of a recent policy decision regarding compliance reporting in Region 4 under the maximum achievable control technology (MACT) program. In 40 CFR Part 63.10(a)(4)(ii), the owner or operator of an affected MACT source, subject to the record keeping and reporting requirements of Part 63.10, are required to send all reports to the delegated State authority, and a copy of each report is to be submitted to the appropriate Regional Office of the Environmental Protection Agency (EPA), unless the Regional Office waives this requirement. Although we have not waived this reporting requirement through a Federal Register Notice, we have previously communicated a position in writing that provided sources the opportunity to send reports only to their permitting authority. However, we continue to be asked to verify, or clarify, whether sources should send required reports to Region 4.

We have discussed this reporting requirement internally. Because of the many MACT standards that are now, or will soon be promulgated, and the large number of sources (thousands) in Region 4 that are subject to one or more of the standards, the resources necessary for receiving, reviewing, and storing all such reports could be overwhelming. Therefore, for Region 4 purposes, it will be our policy to require only a copy of the transmittal letter that is used to transmit each report to the proper permitting authority, in lieu of the actual report itself, unless a source is required to do so by other means. This will allow us to maintain a manageable level of compliance assurance for MACT reporting, and, if necessary, a resource to locate records for further evaluation. Also, you should note that the MACT notification requirements in Part 63.9 are not affected by this policy.

If you have any questions on this policy, or if further assistance is needed, please contact Lee Page of the EPA Region 4 staff at (404) 562-9131.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly H. Banister". The signature is fluid and cursive, written over a white background.

Beverly H. Banister
Director
Air Pesticides and Toxics
Management Division

cc: Beverly Spagg
Doug Neeley
Kay Prince