

**Subpart W—Massachusetts**

2. Section 52.1120 is amended by adding paragraph (c)(112) to read as follows:

**§ 52.1120 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(112) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on February 9, 1994, and April 14, 1995, concerning emissions banking, trading, and averaging.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection

dated February 9, 1994, and March 29, 1995, submitting revisions to the Massachusetts State Implementation Plan.

(B) Regulations 310 CMR 7.00 Appendix B(1); 310 CMR 7.00 Appendix B(2); 310 CMR 7.00 Appendix B(3), except 310 CMR 7.00 Appendix B(3)(e)5.h; and, 310 CMR 7.00 Appendix B(5); effective on January 1, 1994. Also, regulations 310 CMR 7.00 Appendix B(4); 310 CMR 7.00 Appendix B(6); 310 CMR 7.18(2)(b); 310 CMR 7.19(2)(d); 310 CMR 7.19(2)(g); and, 310 CMR 7.19(14); effective on January 27, 1995.

(ii) Additional materials.

(A) Letter and attachments from the Massachusetts Department of Environmental Protection dated

February 8, 1996, submitting supplemental information concerning the demonstration of balance between credit creation and credit use.

3. In § 52.1167, table 52.1167 is amended by removing the existing entry for “310 CMR 7.00 Appendix B” and replacing it with the new entry “310 CMR 7.00 Appendix B, except for 310 CMR 7.00 Appendix B(3)(e)5.h”; and by adding new entries in numerical order to existing state citations “310 CMR 7.18” and “310 CMR 7.19” to read as follows:

**§ 52.1167 EPA-approved Massachusetts State regulations.**

\* \* \* \* \*

TABLE 52.1167.—EPA-APPROVED MASSACHUSETTS REGULATIONS

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
* 310 CMR 7.00 Appendix B (except 310 CMR 7.00 Appendix B(3)(e)5.h).	* Emissions Banking, Trading, and Averaging.	* 2/9/94 and ... 3/29/95 .....	* Aug. 8, 1996 ....	* [FR citation from published date].	* 112	* Replaces earlier emissions averaging rules with emissions banking, trading, and averaging.
* 310 CMR 7.18 (2)(b) .....	* Generic VOC bubble for surface coaters.	* 3/29/95 .....	* Aug. 8, 1996 ....	* [FR citation from published date].	* 112	* Replaces earlier emissions averaging rules for surface coaters.
* 310 CMR 7.19 (2)(d) .....	* Generic NO <sub>x</sub> bubbling and trading for RACT sources.	* 3/29/95 .....	* Aug. 8, 1996 ....	* [FR citation from published date].	* 112	* Adds credit creation option for NO <sub>x</sub> RACT sources.
* 310 CMR 7.19 (2)(g) .....	* Generic NO <sub>x</sub> bubbling and trading for RACT sources.	* 3/29/95 .....	* Aug. 8, 1996 ....	* [FR citation from published date].	* 112	* Adds credit use option for NO <sub>x</sub> RACT sources.
* 310 CMR 7.19 (14) .....	* Generic NO <sub>x</sub> bubbling for RACT sources.	* 3/29/95 .....	* Aug. 8, 1996 ....	* [FR citation from published date].	* 112	* Adds quantification, testing, monitoring, record keeping, reporting, and emission control plan requirements for averaging NO <sub>x</sub> RACT sources.
* .....	* .....	* .....	* .....	* .....	* .....	* .....

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**40 CFR Part 52**

[IL122-1a; FRL-5530-5]

**Approval and Promulgation of Implementation Plans; Illinois**

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Direct final rule.

**SUMMARY:** On November 30, 1994, the Illinois Environmental Protection Agency (IEPA) submitted an adopted rule and supporting information for the control of volatile organic liquid (VOL) storage operations for the Chicago and East St. Louis ozone nonattainment areas as a requested State Implementation Plan (SIP) revision. This rule is part of the State’s control

measures for volatile organic compound (VOC) emissions, for the Chicago and East St. Louis ozone nonattainment areas, and is intended to satisfy part of the requirements of section 182(b)(2) of the Clean Air Act (Act), as amended in 1990. VOCs are air pollutants which combine on hot summer days to form ground-level ozone, commonly known as smog. Ozone pollution is of particular concern because of its harmful effects upon lung tissue and breathing

passages. This regulation requires a reasonably available control technology (RACT) level of control for VOL storage operations, as required by the amended Act. In this document, USEPA is approving Illinois' rule. The rationale for the approval is set forth in this final rule; additional information is available at the address indicated below. Elsewhere in this Federal Register USEPA is proposing approval and soliciting public comment on this requested revision to the SIP. If adverse comments are received on this direct final rule by September 9, 1996, USEPA will withdraw the final rule and address the comments received in a new final rule. Unless this final rule is withdrawn, no further rulemaking will occur on this requested SIP revision.

**DATES:** This final rule is effective October 7, 1996 unless adverse comments are received by September 9, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Written comments can be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

Copies of the SIP revision request are available for inspection at the following address: (It is recommended that you telephone Steven Rosenthal at (312) 886-6052, before visiting the Region 5 office.) U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

**FOR FURTHER INFORMATION CONTACT:** Steven Rosenthal, Air Programs Branch (AR-18J) (312) 886-6052.

**SUPPLEMENTARY INFORMATION:**

**Background**

Under the Act, as amended in 1977, ozone nonattainment areas were required to adopt RACT for sources of VOC emissions. USEPA issued three sets of control technique guidelines (CTGs) documents, establishing a "presumptive norm" for RACT for various categories of VOC sources. The three sets of CTGs were (1) Group I—issued before January 1978 (15 CTGs); (2) Group II—issued in 1978 (9 CTGs); and (3) Group III—issued in the early 1980's (5 CTGs). Those sources not covered by a CTG were called non-CTG sources. USEPA determined that an area's SIP-approved attainment date established which RACT rules the area needed to adopt and implement. In those areas where the State sought an extension of the attainment date under

section 172(a)(2) to as late as December 31, 1987, RACT was required for all CTG sources and for all major (100 tons per year or more of VOC emissions under the pre-amended Act) non-CTG sources. Illinois sought and received such an extension for the Chicago area.

Section 182(b)(2) of the Act, as amended in 1990, requires States to adopt RACT rules for all areas designated nonattainment for ozone and classified as moderate or above. There are three parts to the section 182(b)(2) RACT requirement: (1) RACT for sources covered by an existing CTG—i.e., a CTG issued prior to the enactment of the amended Act of 1990; (2) RACT for sources covered by a post-enactment CTG; and (3) all major sources not covered by a CTG. These section 182(b)(2) RACT requirements are referred to as the RACT "catch-up" requirements.

Section 183 of the amended Act requires USEPA to issue CTGs for 13 source categories by November 15, 1993. A CTG was published by this date for two source categories—Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactors and Distillation; however, the CTGs for the remaining source categories have not been completed. The amended Act requires States to submit rules for sources covered by a post-enactment CTG in accordance with a schedule specified in a CTG document. Accordingly, States must submit a RACT rule for SOCMI reactor processes and distillation operations before March 23, 1994.

The USEPA created a CTG document as Appendix E to the *General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990*. (57 FR 18070, 18077, April 28, 1992). In Appendix E, USEPA interpreted the Act to allow a State to submit a non-CTG rule by November 15, 1992, or to defer submittal of a RACT rule for sources that the State anticipated would be covered by a post-enactment CTG, based on the list of CTGs USEPA expected to issue to meet the requirement in section 183. Appendix E states that if USEPA fails to issue a CTG by November 15, 1993 (which it did for 11 source categories), the responsibility shifts to the State to submit a non-CTG RACT rule for those sources by November 15, 1994. In accordance with section 182(b)(2), implementation of that RACT rule should occur by May 31, 1995.

On November 30, 1994, IEPA submitted adopted VOC rules and supporting information for the control of VOL storage operations in the Chicago ozone severe nonattainment area and the Metro-East (East St. Louis)

ozone moderate nonattainment area. These rules were intended to satisfy, in part, the major non-CTG control requirements of section 182(b)(2). USEPA has not issued a CTG for this source category. However, USEPA did prepare a January 1994 "Alternative Control Techniques Document (ACT): Volatile Organic Liquid Storage in Floating and Fixed Roof Tanks." The purpose of an ACT document is to provide information on alternative control techniques for the specified source category. As such, this ACT document is the chief basis for RACT for the control of VOL storage operations.

**Evaluation of Rules**

*Subpart B: Definitions*

Illinois has added the following two definitions to Subpart B: "Fill," and "Maximum True Vapor Pressure." These definitions accurately describe the specified terms and are necessary for implementation of the VOL storage rules. These definitions are, therefore, approvable.

*Subpart B: Organic Emissions From Storage and Loading Operations*

Subpart B of Part 218 (for the Chicago area) and Part 219 (for the East St. Louis area) has been amended with rules covering VOL storage operations. For the reasons discussed below, USEPA has reviewed these rules and determined that they are consistent with the ACT, and, therefore, approvable.

Section 218/219.119 Applicability for VOL—This section establishes which VOL storage operations are subject to the control requirements in Section 218/219.120. VOL storage operations with a maximum true vapor pressure of 0.5 pounds per square inch absolute (psia) or greater in any storage tank of 40,000 gallons capacity or greater are subject to these control requirements. These control requirements (in 218/219.120) do not apply to vessels storing petroleum liquids, which are regulated in other sections.

In a July 28, 1995, letter from Bharat Mathur, Chief, Bureau of Air for IEPA, to Stephen Rothblatt, Chief, Air Programs Branch for Region 5, USEPA clarifies that "\* \* \* for purposes of the rule for Batch Operations, otherwise applicable unit operations within a batch process remain subject to Subpart V (and not B), even if the unit operation performs what could be considered storage as some part of its operation. More specifically, those unit operations which form the batch process train are covered by Subpart V." Section 218/219.120 Control Requirements for Storage Containers—(a) Every owner or

operator storing VOL in a vessel of 40,000 gallons or greater with a maximum true pressure equal to 0.75 psia, or greater, but less than 11.1 psia, is required to reduce its storage tank emissions in accordance with one of the following.

218/219.120(a)(1) Each fixed roof tank must be equipped with an internal floating roof, or be equipped with a vapor control system that meets the specifications in subsection (a)(4), that rests or floats on the liquid surface. Each internal floating roof must be equipped with a foam or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal); two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof; or a mechanical shoe seal. Compliance with the control requirements in 218/219.120(a)(1) (for fixed roof tanks lacking floating roofs as of the date of rule adoption-October 20, 1994) is required by March 15, 1996. Compliance with the control requirements in 218/219.120(a)(2) for internal floating roof tanks is required by the next scheduled tank cleaning or before March 15, 2004, whichever comes first.

Section 218/219.120(a)(3) requires that external floating roof tanks be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of a primary seal and a secondary seal. The primary seal is required to completely cover the annular space between the edge of the floating roof and tank wall. The secondary seal is required to completely cover the annular space between the external floating roof and the wall of the storage vessel in a generally continuous fashion. Compliance with the control requirements in 218/219.120(a)(3) is required after the next scheduled tank cleaning but no later than March 15, 2004.

218/219.120(a)(4) provides the closed vent system and control device specifications. The closed vent system must be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 parts per million above background and visual inspections. A control device must be designed and operated to reduce inlet VOC emissions by 95 percent or greater.

Sections 218/219.120(a)(5) allows an alternative emission control plan equivalent to the requirements of (a)(1),

(a)(2), (a)(3), or (a)(4) that has been approved by IEPA and USEPA in a federally enforceable permit or as a SIP revision.

On December 17, 1992, (57 FR 59928) USEPA approved Illinois' existing Operating Permit program as satisfying USEPA's June 28, 1989, (54 FR 27274) five criteria for establishing Federally Enforceable State Operating Permit programs. One of the criteria is that permits may not be issued that make less stringent any SIP limitation or requirement. USEPA's December 17, 1992, notice states that operating permits issued by Illinois in conformance with the five criteria (including the prohibition against States issuing operating permit limits less stringent than the regulations in the SIP) discussed in this document will be considered federally enforceable. This document also states Illinois' operating permit program allows USEPA to deem an operating permit not "federally enforceable."

On July 21, 1992, USEPA promulgated a new part 70 of chapter 1 of title 40 of the Code of Federal Regulations. See 57 FR 32250. This new part 70 contains regulations, required by Title V of the Act, that require and specify the minimum elements of State operating permit programs. Part 70 is therefore an appropriate basis for evaluating the acceptability of Illinois' use of federally enforceable State operating permits (FESOP) and Title V permits in its VOC rules.

Section 70.6(a)(1)(iii) states:

If an applicable implementation plan allows a determination of an alternative emission limit at a part 70 source, equivalent to that contained in the plan, to be made in the permit issuance, renewal, or significant modification process, and the State elects to use such process, any permit containing such equivalency determination shall contain provisions to ensure that any resulting emissions limit has been demonstrated to be quantifiable, accountable, enforceable, and based on replicable procedures.

USEPA has therefore determined that this alternative control requirement, in subsections 218/219.120(a)(5), is approvable because it requires that any alternative must be equivalent to the underlying SIP requirements (consistent with part 70) and USEPA can deem a permit containing an alternative control plan to be not "federally enforceable" if it determines that a permit is not quantifiable or practically enforceable or a permit relaxes the SIP. The underlying SIP, to which any equivalent alternative control plan must be compared, has federally enforceable control requirements, test methods, and recordkeeping and reporting

requirements. In addition, IEPA's September 13, 1995, letter contains the specific procedures for USEPA review and approval.

Section 218/219.120(b) requires 40,000 gallon or greater storage vessels which contain VOL that has a maximum true vapor pressure greater than or equal to 11.1 psia to be equipped with a closed vent system and control device as specified in (a)(4).

Section 218/219.125 Compliance Dates—Fixed roof tanks and closed vent system and control device equipped tanks are required to comply with control device requirements by March 15, 1996. Internal and external floating roof tanks are required to comply with the control requirements during the next scheduled tank cleaning or by March 15, 2004, whichever comes first.

Section 218/219.127 Testing VOL Operations—Subsection (a) requires visual inspections for the internal floating roof, the primary seal and the secondary seal. Subsection (b) requires that for external floating roof tanks the gap areas and maximum gap widths between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel be determined. Testing requirements for closed vent systems and control devices are contained in 40 CFR 60.485(c) and the general test methods in 218/219.105(d) and (f), respectively.

218/219.128 Monitoring VOL Operations—This section deals primarily with determining the maximum true vapor pressure of the VOL.

Section 218/219.129 Recordkeeping and Reporting for VOL Operations—Subsection 129(a) specifies recordkeeping and reporting requirements for fixed roof and internal floating roof tanks. This subsection requires records of each inspection that is performed. Reporting is required of any defects found and subsequent repairs made. Subsection 120(b) specifies recordkeeping and reporting requirements for external floating roof tanks. Records of seal gap measurements are required as are reports of these measurements. Reports are also required which identify any seal gap measurements that exceed gap limitations and the subsequent date of repair. Subsection (e) requires that records be maintained of the storage vessel dimensions and an analysis of the storage vessel capacity. Subsection (f) requires that a record of the VOL storage, the period of storage, and the maximum true vapor pressure of the VOL during the respective storage period be maintained.

### Final Rulemaking Action

Illinois' rules for VOL storage operations are consistent with USEPA's guidance in the ACT for this category and are, therefore, considered to constitute RACT. USEPA, therefore, approves these rules in Part 218 (for the Chicago ozone nonattainment area), in Part 219 (for the East St. Louis ozone nonattainment area) and the related definitions in Part 211, as submitted on November 30, 1994.

Because USEPA considers this action noncontroversial and routine, we are approving it without prior proposal. The action will become effective on October 7, 1996. However, if we receive adverse comments by September 9, 1996, then USEPA will publish a document that withdraws this final action. If no request for a public hearing has been received, USEPA will address the public comments received in a new final rule on the requested SIP revision based on the proposed rule located in the proposed rules section of this Federal Register. If a public hearing is requested, USEPA will publish a document announcing a public hearing and reopening the public comment period until 30 days after the public hearing. At the conclusion of this additional public comment period, USEPA will publish a final rule responding to the public comments received and announcing final action.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995, memorandum from Mary D. Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. USEPA shall consider each request for revision to the SIP in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") (signed into law on March 22, 1995) requires that the USEPA prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of \$100 million or more in any one year.

Section 203 requires the USEPA to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the USEPA must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The USEPA must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the USEPA explains why this alternative is not selected or the selection of this alternative is inconsistent with law.

This final rule only approves the incorporation of existing State rules into the SIP and imposes no additional requirements. This rule is estimated to result in the expenditure by State, local, and tribal governments or the private sector of less than \$100 million in any one year. USEPA, therefore, has not prepared a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. Furthermore, because small governments will not be significantly or uniquely affected by this rule, the USEPA is not required to develop a plan with regard to small governments. This rule only approves the incorporation of existing state rules into the SIP. It imposes no additional requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. (5 U.S.C. 603 and 604.) Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of the State action. The Clean Air Act forbids USEPA to base its

actions concerning SIPs on such grounds. *Union Electric Co. v. USEPA*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

Under section 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of this rule in today's Federal Register. This rule is not a "major rule" as defined by section 804(2) of the APA as amended.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 7, 1996. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See Section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Dated: June 11, 1996.

Valdas V. Adamkus,  
Regional Administrator.

For the reasons stated in the preamble, part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7671q.

#### Subpart O—Illinois

2. Section 52.720 is amended by adding paragraph (c)(128) to read as follows:

#### § 52.720 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(128) On November 30, 1994, the State submitted volatile organic compound control regulations for incorporation in the Illinois State Implementation Plan for ozone.

(i) *Incorporation by reference.* (A) Title 35: Environmental Protection, Subtitle B: Air Pollution, Chapter I: Pollution Control Board, Subchapter c: Emission Standards and Limitations for Stationary Sources, Part 211: Definitions and General Provisions, Subpart B: Definitions, Sections 211.2300, 211.3695. These sections were adopted on October 20, 1994, Amended at 18 Ill. Reg. 16929, and effective November 15, 1994.

(B) Title 35: Environmental Protection, Subtitle B: Air Pollution, Chapter I: Pollution Control Board, Subchapter c: Emission Standards and Limitations for Stationary Sources, Part 218: Organic Material Emission Standards and Limitations for the Chicago Area, Subpart B: 218.119, 218.120, 218.125, 218.127, 218.128, 218.129. These sections were adopted on October 20, 1994, Amended at 18 Ill. Reg. 16950, and effective November 15, 1994.

(C) Title 35: Environmental Protection, Subtitle B: Air Pollution, Chapter I: Pollution Control Board, Subchapter c: Emission Standards and Limitations for Stationary Sources, Part 219: Organic Material Emission Standards and Limitations for the Metro East Area, Subpart B: 219.119, 219.120, 219.125, 219.127, 219.128, 219.129. These sections were adopted on October 20, 1994, Amended at 18 Ill. Reg. 16980, and effective November 15, 1994.

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BILLING CODE 6560-50-P

## 40 CFR Parts 52 and 81

[IL146-1a; FRL-5540-6]

### Designation of Areas for Air Quality Planning Purposes; Illinois

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

**ACTION:** Direct final rule.

**SUMMARY:** In this action EPA is approving the State Implementation Plan (SIP) submitted by the State of Illinois through the Illinois Environmental Protection Agency (IEPA) on June 2, 1995, and January 9, 1996, for the purpose of redesignating the portion of LaSalle County currently designated as nonattainment to attainment status for the particulate matter National Ambient Air Quality Standard (NAAQS). The EPA is also approving the maintenance plan for the LaSalle County PM nonattainment area, which was submitted with the

redesignation request to ensure that attainment will be maintained.

**DATES:** The "direct final" is effective on October 7, 1996, unless EPA receives adverse or critical comments by September 9, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the revision request are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone David Pohlman at (312) 886-3299 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. **FOR FURTHER INFORMATION CONTACT:** David Pohlman at (312) 886-3299.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On July 1, 1987 (52 FR 24634), EPA revised the NAAQS for particulate matter (PM) with a new indicator that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers. (See 40 CFR § 50.6). The 24-hour primary PM standard is 150 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), with no more than one expected exceedance per year. The annual primary PM standard is 50  $\mu\text{g}/\text{m}^3$  expected annual arithmetic mean. The secondary PM standards are identical to the primary standards.

Portions of LaSalle County were designated as a moderate PM nonattainment area upon enactment of the Clean Air Act (Act) Amendments of 1990 (November 15, 1990). 56 FR 56694 at 56705-706, 56714 (November 6, 1991). The nonattainment area includes the following townships, ranges, and sections: T32N, R1E, S1; T32N, R2E, S6; T33N, R1E, S24; T33N, R1E, S25; T33N, R2E, S30; T33N, R2E, S31; AND T33N, R1E, S36. The area is known as the Oglesby PM nonattainment area, after the nearby town of Oglesby, Illinois.

##### II. Evaluation Criteria

Title I, section 107(d)(3)(D) of the amended Act and the general preamble to Title I [57 FR 13498 (April 16, 1992)], allow the Governor of a State to request the redesignation of an area from nonattainment to attainment. The criteria used to review redesignation requests are derived from the Act, general preamble, and the following

policy and guidance memorandum from the Director of the Air Quality Management Division to the Regional Air Directors, September 4, 1992, *Procedures for Processing Requests to Redesignate Areas to Attainment*. An area can be redesignated to attainment if the following conditions are met:

1. The area has attained the applicable NAAQS;
2. The area has a fully approved SIP under section 110(k) of the Act;
3. The air quality improvement must be permanent and enforceable;
4. The area has met all relevant requirements under section 110 and Part D of the Act;
5. The area must have a fully approved maintenance plan pursuant to section 175(A) of the Act.

##### III. Review of State Submittal

Under cover letters dated June 2, 1995, and January 9, 1996, the State submitted a redesignation request for the LaSalle County PM nonattainment area. A public hearing was held on September 22, 1995. The request was reviewed by EPA to determine completeness shortly after its submittal, in accordance with the completeness criteria set out at 40 CFR Part 51, Appendix V (1991), as amended by 57 FR 42216 (August 26, 1991). The submittal was found to be complete and a letter dated February 29, 1996, was forwarded to the Chief, Bureau of Air, Illinois Environmental Protection Agency, indicating the completeness of the submittal and the next steps to be taken in the review process. The following is a description of how the State's redesignation request meets the requirements of Section 107(d)(3)(E).

##### 1. Attainment of the PM NAAQS

According to EPA guidance, the demonstration that the area has attained the PM NAAQS involves submittal of ambient air quality data from an ambient air monitoring network representing peak PM concentrations, which should be recorded in the Aerometric Information Retrieval System (AIRS). The area must show that the average annual number of expected exceedances of the 24-hour PM standard is less than or equal to 1.0 pursuant to 40 CFR Part 50, section 50.6. The data must represent the most recent three consecutive years of complete ambient air quality monitoring data collected in accordance with EPA methodologies.

The IEPA operates one PM monitoring site in the nonattainment area. Illinois submitted ambient air quality data from the monitoring site which demonstrates that the area has attained the PM NAAQS. This air quality data was