Environmental Protection Agency

Adequacy Status of Motor Vehicle Emissions Budgets in Submitted PM_{10} Maintenance Plan for Sacramento County; CA

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of adequacy.

SUMMARY: In this notice, EPA is notifying the public that the Agency has found the motor vehicle emissions budgets (MVEBs) for particulate matter with an aerodynamic diameter of a nominal 10 microns or less (PM_{10}) for the years 2008, 2012, and 2022 in the PM_{10} Implementation/Maintenance Plan and Redesignation Request for Sacramento County (October 28, 2010) ("Sacramento PM_{10} Plan") are adequate for transportation conformity purposes. The Sacramento PM_{10} Plan was submitted to EPA on December 7, 2010 by the California Air Resources Board (CARB) as a revision to the California State Implementation Plan (SIP) and includes a maintenance plan for the 1987 24-hour PM_{10} national ambient air quality standard. As a result of our adequacy findings, the Sacramento Area Council of Governments and the U.S. Department of Transportation must use the MVEBs for future conformity determinations.

DATES: This finding is effective December 8, 2011.

FOR FURTHER INFORMATION CONTACT: John Ungvarsky, U.S. EPA, Region IX, Air Division AIR–2, 75 Hawthorne Street, San Francisco, CA 94105–3901, (415) 972–3963 or ungvarsky.john@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, whenever “we,” “us,” or “our” is used, we mean EPA.

Today’s notice is simply an announcement of a finding that we have already made. EPA Region IX sent a letter to CARB on November 4, 2011 stating that the MVEBs in the submitted Sacramento PM_{10} Plan for the years of 2008, 2012 and 2022 are adequate. The finding is available at EPA’s conformity Web site: http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm. The adequate MVEBs are provided in the following table:

<table>
<thead>
<tr>
<th>PLAN MVEBS</th>
<th>Winter season, tons per day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget year</td>
<td>Oxides of nitrogen</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>2008</td>
<td>50</td>
</tr>
<tr>
<td>2012</td>
<td>38</td>
</tr>
<tr>
<td>2022</td>
<td>19</td>
</tr>
</tbody>
</table>

Receipt of the MVEBs in the Sacramento PM_{10} Plan was announced on EPA’s transportation conformity Web site on September 1, 2011. We received no comments in response to the adequacy review posting. The finding is available at EPA’s transportation conformity Web site: http://www.epa.gov/otaq/stateresources/transconf/adequacy.htm.

Transportation conformity is required by Clean Air Act section 176(c). EPA’s conformity rule requires that transportation plans, transportation improvement programs, and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do conform. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which we determine whether a SIP’s MVEBs are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4) which was promulgated in our August 15, 1997 final rule (62 FR 43780, 43781–43783). We have further described our process for determining the adequacy of submitted SIP budgets in our July 1, 2004 final rule (69 FR 40004, 40038), and we used the information in these resources in making our adequacy determination. Please note that an adequacy review is separate from EPA’s completeness review, and should not be used to prejudge EPA’s ultimate approval action for the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

Authority: 42 U.S.C. 7401 et seq.

Dated: November 4, 2011.

Jared Blumenfeld,
Regional Administrator, Region IX.

EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2011–0877.
Publicly available docket materials are available either in the electronic docket at http://www.regulations.gov or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305–5805.

II. What guidance does this PR notice provide?

The Agency is announcing the issuance of Pesticide Registration Notice (PR–2011–2) that addresses the data development efforts of the NDETF. The formation of the NDETF was initially announced in PR Notice 2000–7 which was signed on August 4, 2000. When registering or periodically reviewing an existing registration, the Agency evaluates the potential risks to people from exposure to the pesticide in and around the home. The NDETF was formed to develop information on exposure to pesticides that can be used by EPA, and other regulatory agencies responsible for assuring the safety of pesticides. Since the initial notice in 2000, the membership of the task force has changed and the specific data needs have been better defined. The purpose of the PR Notice is to describe what data the NDETF has generated and plans to generate, to describe how EPA expects to use the data, and to inform registrants of the opportunity to join NDETF.

III. Do PR Notices contain binding requirements?

The PR Notice discussed in this notice is intended to provide information to EPA personnel and decision makers and to pesticide registrants. While the requirements in the statutes and Agency regulations are binding on EPA and the applicants, this PR Notice is not binding on either EPA or pesticide registrants, and EPA may depart from the guidance where circumstances warrant and without prior notice. Likewise, pesticide registrants may assert that the guidance is not appropriate generally or not applicable to a specific pesticide or situation.

List of Subjects

Environmental protection, Administrative practice and procedure, Pesticides and pests.