

APPENDIX D

Request and Approval for CO Re-designation



Cal/EPA

California
Environmental
Protection
Agency



Air Resources Board

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Pete Wilson
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July 3, 1996

Ms. Felicia Marcus
Regional Administrator
U.S. Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, California 94105

Dear Ms. Marcus:

Carbon Monoxide Redesignation Request and Maintenance Plan
for Ten Federal Planning Areas

Enclosed are five copies of a revision to the State of California Implementation Plan (SIP) for carbon monoxide (CO) for the following ten federal planning areas: Bakersfield, Chico, Fresno, Lake Tahoe North Shore, Lake Tahoe South Shore, Modesto, Sacramento, San Diego, San Francisco-Oakland-San Jose, and Stockton. This revision consists of the following materials:

- A. "Final Carbon Monoxide Redesignation Request and Maintenance Plan for Ten Federal Planning Areas" (CO Plan), including 1990 and 1993 winter seasonal CO emission inventories for the affected areas.
- B. Proof of publication of the Air Resources Board's (ARB) hearing notice from the following newspapers: Bakersfield Californian, Enterprise Record (Chico), Fresno Bee, Auburn Journal, Tahoe Daily Tribune, Modesto Bee, Sacramento Bee, San Diego Union-Tribune, San Francisco Chronicle, Oakland Tribune, San Jose Mercury News, and Stockton Record.
- C. Compilation of public comments on the CO Plan and ARB's responses. (Transcript of Board Hearing on April 26, 1996.)
- D. Letters from Sacramento Area Council of Governments and Tahoe Regional Planning Agency stating their commitments to adopt the transportation conformity SIP revisions by June 30, 1997.

- E. ARB Resolution 96-13, adopting the CO Plan and directing the Executive Officer to submit it as a revision to the SIP.
- F. Completed checklist for applicable SIP completeness criteria as defined in 40 CFR, Part 51, Appendix V.

The Redesignation Request and Maintenance Plan for the ten areas is based on air quality data from the two-year period of 1993-1994 in which there were no exceedances of the federal eight-hour CO standard. In addition, there were no exceedances in 1995 in any of the areas.

This submittal contains the evidence of public hearing needed to fulfill the remaining administrative completeness requirements for the 1990 base year winter CO inventory submitted November 13, 1992, and the periodic update submitted September 29, 1995.

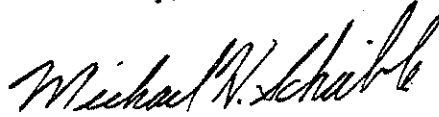
To fulfill all applicable Clean Air Act requirements, we must submit three additional conformity-related elements. These are a revised general conformity rule for Placer County and new transportation conformity rules for the Sacramento Area and the Lake Tahoe Region (Placer and El Dorado Counties). The Placer County general conformity revision has been adopted and will be submitted shortly. As part of this redesignation package, we are including commitment letters for the remaining elements.

As part of this submittal, we are withdrawing the contingency measure element of Fresno's 1992 Federal Air Quality Attainment Plan for CO, which includes the Commute Trip Reduction Program, previously submitted on December 28, 1992. The contingency measures offered in the 1996 statewide CO Plan replace the San Joaquin Valley Unified Air Quality Management District's (District) prior contingency measures. Emission reductions resulting from the District's measures are neither contained in the emission inventories, nor are they necessary to maintain the federal CO standard in the Fresno Urbanized Area. In addition, we are withdrawing the Bay Area's 1994 CO Redesignation Request and Maintenance Plan, previously submitted on December 28, 1994, and replacing it with this submittal.

We ask that the U.S. Environmental Protection Agency approve the Redesignation Request and Maintenance Plan, associated emission inventories, and emissions budgets, and redesignate the ten areas. The CO Plan satisfies federal requirements pertaining to nonattainment areas requesting redesignation to attainment for the federal carbon monoxide standard.

If you have any questions regarding this submittal, please contact me at (916) 445-4383, or have your staff contact Mr. Gary Honcoop, Manager, Strategic Analysis and Liaison Section, at (916) 322-8474, or Ms. Monica Crumley, Air Quality Planner, at (916) 323-7560.

Sincerely,



for James D. Boyd
Executive Officer

Enclosures

cc: Ellen Garvey, Bay Area Air Quality Management District
Larry Odle, Butte County Air Quality Management District
Ron Duncan, El Dorado County Air Pollution Control District
Richard Johnson, Placer County Air Pollution Control District
Norman Covell, Sacramento Metro Air Quality Management District
Richard Sommerville, San Diego County Air Pollution Control District
David Crow, San Joaquin Valley Unified Air Pollution Control District
Larry Greene, Yolo-Solano Air Quality Management District
Mike Hoffacker, Sacramento Area Council of Governments
James Baetge, Tahoe Regional Planning Agency
Dave Howekamp, U.S. EPA, Region IX

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FINAL

**CARBON MONOXIDE REDESIGNATION REQUEST
AND MAINTENANCE PLAN FOR TEN
FEDERAL PLANNING AREAS**

Approved: April 26, 1996

California Environmental Protection Agency



Air Resources Board

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I. INTRODUCTION

Ten areas of California qualify for redesignation to attainment for the National Ambient Air Quality Standard (NAAQS) for carbon monoxide (CO) (eight-hour average). To streamline the process, the Air Resources Board (ARB) has prepared a Redesignation Request, Attainment Demonstration, and Maintenance Plan that covers all ten areas. Also included are the related emission inventories for 1990 and 1993.

ARB previously submitted 1990 and 1993 winter season CO emission inventories for these areas as required by the federal Clean Air Act (CAA) section 187(a)(5). Although these emission inventory submittals constitute revisions to the State Implementation Plan (SIP), public meetings were deferred in accordance with the U.S. Environmental Protection Agency (U.S. EPA) policy to allow inventories to be considered along with attainment or maintenance plans.

II. BACKGROUND

A. AREAS PROPOSED FOR REDESIGNATION

The ten areas proposed for redesignation (see Figure 1) were affirmed as nonattainment for CO in the November 6, 1991, Federal Register (Vol. 56, No. 215, pp. 56723-56725). ARB's emission control programs, including strict motor vehicle emission standards and the clean fuels program, have reduced CO emissions dramatically. The decrease in emissions has improved CO air quality enough for the areas listed below to make them eligible for redesignation to attainment for the national CO standard:

Bakersfield Metropolitan Area

Fresno Urbanized Area

Lake Tahoe So. Shore Area²

Sacramento Area³

San Francisco-Oakland-San Jose Area⁵

Chico Urbanized Area

Lake Tahoe No. Shore Area¹

Modesto Urbanized Area

San Diego Area⁴

Stockton Urbanized Area

¹ Placer County part of Lake Tahoe Air Basin

² El Dorado County part of Lake Tahoe Air Basin.

³ Urbanized parts of Sacramento, Placer, and Yolo Counties.

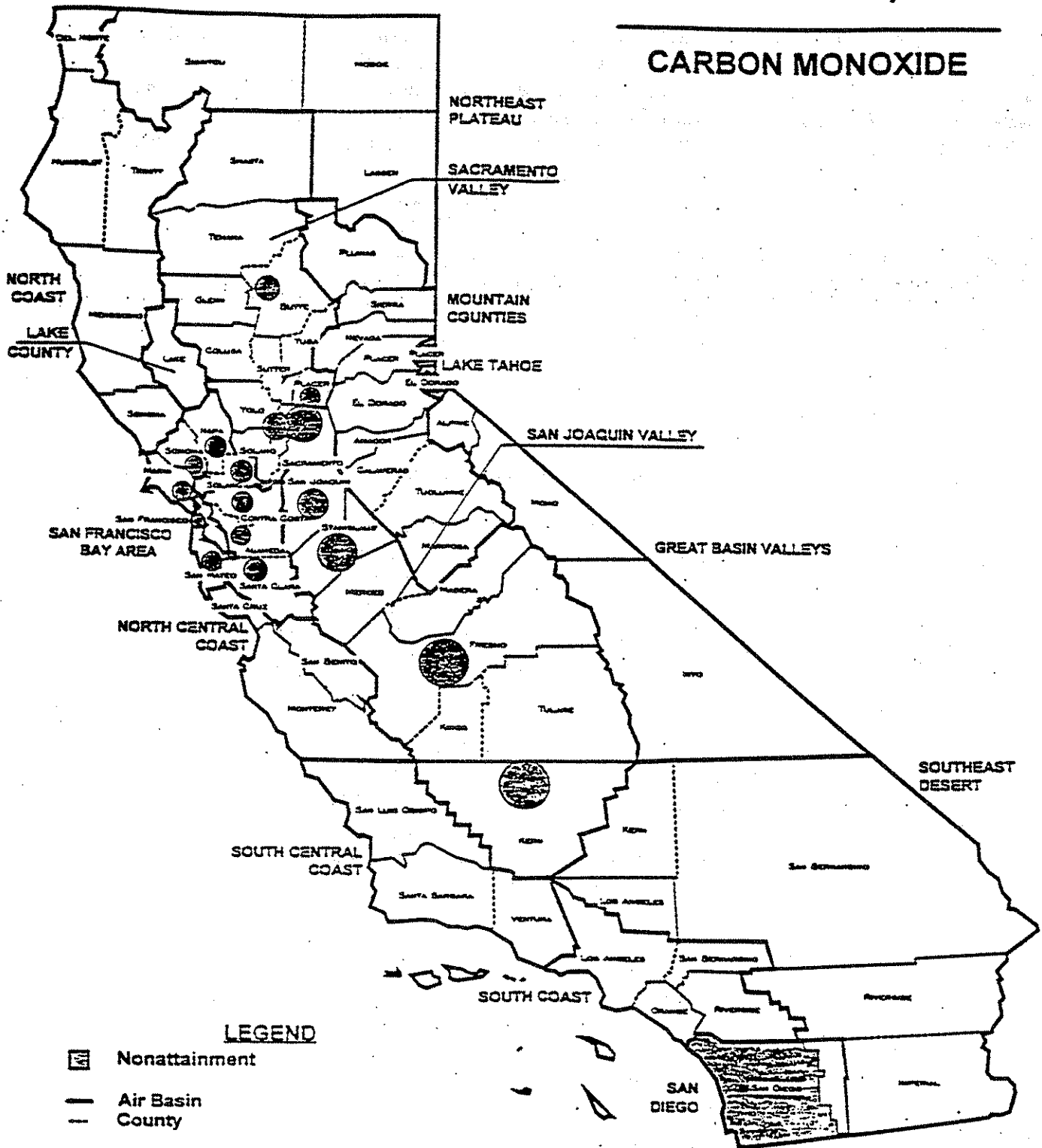
⁴ Western part of County only.

⁵ Urbanized parts of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

FIGURE 1

Areas Subject to Redesignation for National Ambient Air Quality Standards

CARBON MONOXIDE



Note: Circular areas denote general location.

Eight of the areas were classified as moderate nonattainment, while two areas were not classified. Moderate areas are those with an eight-hour average CO design value between 9.1 and 16.4 parts per million (ppm) or less. (The design value is the highest of the second high eight-hour concentrations observed at any site in the area and is the value on which the determination of attainment or nonattainment is based.) An "unclassified" nonattainment area is one with data showing no violations but, because it had been designated as nonattainment prior to the 1990 CAA Amendments, was continued as nonattainment by operation of law until redesignation requirements are completed.

B. NATIONAL AMBIENT AIR QUALITY STANDARDS FOR CARBON MONOXIDE

The current national ambient air quality standards for CO are 9 ppm, eight-hour average, and 35 ppm, one-hour average. Areas subject to this redesignation request are designated nonattainment only for the eight-hour CO standard. (No areas in California violate the one-hour average.)

U.S. EPA requires an area to have two consecutive calendar years of complete, quality-assured monitoring data with no violations before it can be redesignated attainment for the CO standard. The attainment demonstration must be based on representative air monitoring data collected with approved measuring instruments and procedures and with adequate quality assurance and quality control. ARB and air district monitoring equipment and procedures meet all such U.S. EPA criteria.

No monitor in an area requested for redesignation can have more than one eight-hour average concentration exceeding 9 ppm during either of the two most recent calendar years. The rounding convention in the NAAQS specifies that values less than 9.45 ppm do not exceed the standard, whereas concentrations of 9.45 ppm or greater do.

C. CLEAN AIR ACT CONDITIONS FOR REDESIGNATION

Section 107(d)(3)(E) of the CAA lists the following five conditions that must be met before the U.S. EPA Administrator can redesignate an area from nonattainment to attainment:

1. The area has attained the NAAQS;
2. The area has a U.S. EPA fully-approved SIP;
3. The area's improved air quality is due to permanent and enforceable emission reductions resulting from the implementation of the applicable implementation plan;

4. The area has a Maintenance Plan that meets the requirements of CAA section 175A; and
5. The area has met all the requirements in section 110 and part D of the CAA, and other applicable sections.

III. DOCUMENTATION OF COMPLIANCE WITH REDESIGNATION REQUIREMENTS

A. ATTAINMENT DEMONSTRATION

The CAA requires moderate and unclassified CO nonattainment areas to attain the standard by December 31, 1995. This section provides the attainment demonstrations for the ten redesignation areas, including a description of the monitoring network and air quality data confirming attainment.

1. Carbon Monoxide Monitoring Network

The State and Local Air Monitoring Stations (SLAMS) together with the National Air Monitoring Stations (NAMS) form the network of monitoring stations that provide the data used to demonstrate attainment. This network is reviewed annually by the ARB and the U.S. EPA as part of the development of the State and Local Air Monitoring Network Plan, as required by Title 40, Code of Federal Regulations (CFR), Part 58.

Attachment 1 lists all the monitoring stations from which data were obtained and reviewed for confirming attainment in the redesignation areas. It also lists, for each monitoring station, the urban area code, U.S. EPA's database site identification code, station location, beginning and ending date of operation, organization code, and monitoring code.

2. Data

All CO data reviewed to confirm attainment were retrieved from the Aerometric Information Retrieval System (AIRS) maintained by U.S. EPA. These data were reviewed for completeness, especially for the winter months of November, December, and January, during which concentrations are highest.

The data used to confirm attainment are the CO eight-hour design values. The design value is the highest of the second high eight-hour concentrations observed at any site in the area. Table 1 lists the design value for each nonattainment area.

TABLE 1

CARBON MONOXIDE DESIGN VALUES IN ATTAINMENT YEARS

NONATTAINMENT AREA	ATTAINMENT PERIOD ¹	DESIGN VALUE (ppm)
Bakersfield	1992-1994 ²	6.1
Chico	1993-1995 ³	5.4
Fresno	1993-1995 ⁴	9.1
Lake Tahoe North Shore	1993-1994	3.8
Lake Tahoe South Shore	1993-1994	7.4
Modesto	1993-1994	6.6
Sacramento Area	1993-1994	9.0
San Diego	1993-1994	7.0
San Francisco-Oakland-San Jose	1993-1994	7.2
Stockton	1993-1994	7.5

¹ Except as otherwise noted, data are from calendar years 1993 and 1994.

² Bakersfield: The sites used for the attainment demonstration were closed during the third quarter of 1994. Therefore, the eight-hour design value was based on CO data from November 1992 through February 1993 and November 1993 through February 1994.

³ Chico: The 1993-1994 period is missing two of the eight months that have potential for high CO values; therefore, the eight-hour design value was based on CO data from November 1993 through February 1994 and November 1994 through February 1995.

⁴ Fresno: The site triggering the nonattainment designation, Fresno-Olive, was closed during 1990. Data supporting the attainment demonstration are from Fresno-Fisher, a site determined to be equivalent. CO data from the Fresno-Fisher site are for November 1993 through January of 1994 and December 1994 through February 1995.

Air quality data show that the ten areas no longer violate the national eight-hour CO standard. Table 2 presents the design value trends for the four most recent CO seasons for which there are complete data. A review of the data also shows a general decline in CO design values since 1990.

TABLE 2
TRENDS IN CARBON MONOXIDE DESIGN VALUES
(ppm)

NONATTAINMENT AREA	1990-1991	1991-1992	1992-1993	1993-1994
Bakersfield	8.4	7.8	5.5	6.1
Chico	9.1	9.1	5.9	5.4
Fresno	9.0	9.0	6.9	9.1
Lake Tahoe North Shore	—	—	—	3.8
Lake Tahoe South Shore	10.1	9.0	9.0	7.4
Modesto	10.5	9.4	6.6	6.6
Sacramento Area	12.6	10.9	9.0	9.0
San Diego	8.1	7.6	7.0	7.0
San Francisco-Oakland-San Jose	10.5	10.3	7.0	7.2
Stockton	10.9	10.9	6.6	7.5

B. FULLY-APPROVED STATE IMPLEMENTATION PLAN AND OTHER REQUIREMENTS FOR MODERATE NONATTAINMENT AREAS

As set forth in the CAA, the following applicable requirements for redesignation are found in sections 110, 111, part D, and 211(m)(1) :

- Comprehensive, accurate, and current emission inventory
- Periodic emission inventory
- Wintertime oxygenated gasoline
- Vehicle Inspection and Maintenance (I/M)
- Forecast of vehicle miles traveled (VMT), including annual updates
- Contingency measures for VMT exceedances
- Attainment demonstration
- New Source Review (NSR) SIP submittals

California has met these requirements. Before each nonattainment area can be redesignated to attainment, U.S. EPA must approve the individual required elements for each area. ARB is requesting that U.S. EPA approve each of the elements either prior to, or concurrent with, action on the Request for Redesignation. Once U.S. EPA approves each of these items, the condition that the areas have a fully-approved SIP will be met.

The following is an itemized list of these requirements and ARB's actions:

- SIP Requirement:** Submit a statewide 1990 CO emissions inventory by November 15, 1992, and periodic revisions every three years thereafter until attainment.
- ARB Action:** Submitted the 1990 CO inventory on November 13, 1992. The first periodic revision was submitted on September 29, 1995.
- SIP Requirement:** Submit a SIP revision requiring wintertime oxygenated gasoline for nonattainment areas with a design value of 9.5 ppm or greater.
- ARB Action:** SIP revision and separate waiver request submitted October 30, 1992. Wintertime sale of oxygenated fuel began that year and will continue through early 1996, at which time the requirement will be incorporated into the California Cleaner-Burning Gasoline program, which was approved as a SIP revision on August 21, 1995 (60 FR 43379).
- SIP Requirement:** Submit a Basic or Enhanced Motor Vehicle Inspection and Maintenance program.
- ARB Action:** Submitted a SIP revision June 30, 1995, for both Basic and Enhanced I/M programs. Because the majority of areas are also classified as serious or above for ozone nonattainment, Enhanced I/M is required in most of the CO areas being requested for redesignation (Chico and the Placer County portion of the Sacramento Valley Air Basin are excluded). I/M is not required in the Lake Tahoe Air Basin since it did not have an existing I/M program prior to enactment of the 1990 CAA Amendments (section 187(a)(4)).
- SIP Requirement:** For moderate nonattainment areas with a design value greater than 12.7 ppm at the time of classification, submit a VMT forecast and annual updates, a contingency plan for VMT exceedances, and an attainment demonstration. This applies only to Fresno.

ARB Action: These requirements were satisfied by the submittal of the Fresno "Federal 1992 Air Quality Attainment Plan for CO" on December 28, 1992. This report satisfies the additional requirement for the annual VMT update due September 30, 1995, for Fresno.

SIP Requirement: Submit part D New Source Review (NSR) permit requirements.

ARB Action: All CO nonattainment areas meet NSR requirements. Submittal dates of rules as SIP revisions are shown in Table 3.

Although districts amended existing NSR rules in response to the 1990 Clean Air Act, the provisions in state law for new source review programs – Best Available Control Technology and offset thresholds – are more stringent than federal requirements. Since U.S. EPA has not yet approved any of the submitted rules, they were not part of the SIP prior to redesignation. For SIP purposes, our inventory projections for the affected areas, treat NSR programs as emissions neutral – we do not assume any net emission reductions from these rules.

In fact, the Maintenance Plan provides a growth allowance for stationary and area sources, while emissions from mobile sources continue to decline from attainment levels. The stationary source growth rate, between 1993 and 2010, ranges from four percent for North Tahoe up to 40 percent for Sacramento, with an average of about 25 percent. Since mobile sources dominate the CO inventory, this stationary growth will be more than offset by reductions from adopted state mobile source measures. Even in the area with the highest projected stationary growth, total emissions are expected to decline 38 percent from attainment levels by 2010.

TABLE 3

NSR SIP SUBMITTALS TO U.S. EPA

Area	Submittal Date
Bakersfield (Kern Co.)	11-13-92
Chico (Butte Co.)	5-13-93
Fresno Co.	11-13-92
Lake Tahoe (El Dorado Co.)	5-24-94
Modesto (Stanislaus Co.)	11-13-92
Placer Co. (SVAB & LTAB)	1-24-95
Sacramento Co.	11-13-92
San Diego Co.	7-13-94
San Francisco Bay Area	11-13-92
Stockton (San Joaquin Co.)	11-13-92
Yolo Co.	3-29-94

C. PERMANENT AND ENFORCEABLE EMISSION REDUCTIONS

Improvements in air quality must be shown not to have occurred as a result of temporary economic conditions or favorable meteorology. One approach to assessing whether economic conditions contributed to improved air quality is to review the VMT trends for each CO nonattainment area. Motor vehicle usage has been observed in the past to decrease with poor economic conditions. Because motor vehicles are the primary source of CO, any significant change in VMT should be reflected as changes in CO emissions. Table 4 shows VMT increased, on average, 14 percent for the areas during the period in which CO air quality was improving. The trends support a finding that CO emission reductions did not occur as a result of decreased VMT associated with an economic downturn.

TABLE 4
VEHICLE MILES TRAVELED¹
(thousands)

AREA	1990	1993	1995
Bakersfield Metropolitan Area (Kern Co.)	12606	13728	15196
Chico Urbanized Area (Butte Co.)	3988	4196	4394
Fresno Urbanized Area (Fresno Co.)	15150	16744	17897
Lake Tahoe No. Shore (Placer Co.)	383	434	451
Lake Tahoe So. Shore (El Dorado Co.)	811	897	923
Modesto Urbanized Area (Stanislaus Co.)	8478	9465	10121
Sacramento Area			
Placer Co. (Sacramento Valley)	5700	6302	7040
Sacramento Co.	22202	24811	26550
Yolo Co.	3598	3990	4252
San Diego Area (San Diego Co.) ²	61990	63272	64121
San Francisco-Oakland-San Jose Area			
Alameda Co.	25345	26601	27857
Contra Costa Co.	15883	17146	17989
Marin Co.	5201	5332	5420
Napa Co.	1791	1965	2080
San Francisco Co.	8347	8670	8886
San Mateo Co.	12980	13483	13819
Santa Clara Co.	28023	29229	30036
Solano Co.	5880	6337	6643
Sonoma Co.	4909	5265	5504
Stockton Urbanized Area (San Joaquin Co.)	11508	13084	14139

¹ ARB motor vehicle activity data (BURDEN7F); 1/19/94 run date.

² VMT estimates for San Diego based on data supplied by SANDAG in August 1994.

The improved air quality also must not have occurred solely because of favorable meteorology. Stable weather conditions characterized by cold temperatures, very low inversion layers, and very light to no winds contribute to higher CO levels. In contrast, unstable weather conditions characterized by medium to strong, gusty winds provide good mixing and dispersion which contribute to lower CO levels. An indicator that can be used to estimate unstable weather conditions during a season is the number of days with measurable precipitation (≥ 0.01 ""). Therefore, one method for assessing favorable meteorology is to compare the historical average number of days with measurable precipitation in a CO season (November through February) with the number of days during the attainment period.

Table 5 displays data comparing the historical (1961-1995) average number of days with measurable precipitation in a CO season with the number of days in the two CO seasons on which the attainment demonstration is based.

TABLE 5
MEASURABLE PRECIPITATION (≥ 0.01 ") DURING CO SEASON¹

Station	35-Yr Average	1992-1993	1993-1994
	Number of Days	Number of Days	Number of Days
Bakersfield	22	30	20
Chico ²	38	46	34
Fresno	27	32	20
Lake Tahoe ³	—	46	32
Modesto ⁴	31	45	29
Sacramento	35	47	32
San Francisco	37	46	32
San Diego	23	38	23
Stockton	30	40	28

- ¹ Precipitation data were obtained from the National Oceanic and Atmospheric Administration
- ² Chico precipitation data for 1961 through 1990 based on data gathered at Redding; Chico precipitation data were used for 1991-1995.
- ³ Historical precipitation data for Lake Tahoe were not available.
- ⁴ Modesto precipitation data for 1961 through 1990 based on data gathered at Stockton; Modesto precipitation data were used for 1991-1995.

As shown in Table 5, the 1992-1993 CO season had more days of measurable precipitation than the 35-year average, while the 1993-1994 CO season had, except for San Diego, fewer days of precipitation than the historical average for all the sites. Although it appears that CO concentrations during the 1992-1993 season may have been influenced by favorable meteorology, the decline in CO design values continued during the 1993-1994 CO season, despite less favorable meteorology. The data support a finding that favorable meteorology did not account solely for the lower CO levels during the attainment period.

We believe that the reduction in CO levels is a direct result of the emission reductions resulting from the implementation of a number of ARB mobile source and clean fuel regulations, as well as stationary source regulations implemented by local districts.

Table 6 lists the regulations implemented by the ARB since 1992 that provide significant CO emission reduction benefits. ARB's motor vehicle and fuels programs reduced CO emissions from on-road mobile sources by 27 percent between 1990 and 1994 in spite of an increase in statewide daily VMT of 9 percent during that period.

TABLE 6

RECENT ARB MEASURES CONTRIBUTING TO ATTAINMENT OF THE CARBON MONOXIDE STANDARD

Initial Date of Implementation	Regulation
1992	Phase I Gasoline
1992	Wintertime Oxygenated Gasoline
1993	Exhaust Emission Standards and Test Procedures for Motor Vehicles (multiple regulations)
1993	Clean Diesel Fuel Regulation
1994	Low-emission Vehicles and Clean Fuels

D. MAINTENANCE PLAN

A maintenance plan for "low" moderate areas with design values originally between 9.1 and 12.7 ppm must contain the first three elements listed below. "High" moderate areas (original design value greater than 12.7 ppm) must include all four elements listed below in its maintenance plan.

1. A demonstration that the national standard will be maintained for at least ten years after redesignation;
2. A contingency provision to correct for any violations of the standard that might occur after the area is redesignated to attainment;
3. Provisions for continued air monitoring to verify the attainment status of the redesignated area; and
4. A demonstration based on a microscale model to show that the proposed reductions in emissions will be enough to maintain the standard.

1. Maintenance Demonstration

Maintenance of the standard can be shown by comparing the emissions inventory for the period during which an area attained the standard to emission inventory projections for at least ten years beyond the date of approval by the U.S. EPA (see Table 7). The emissions inventory comparison, which includes the years 1990, 1993, 1995, 2000, 2005, and 2010, shows emissions will continue to decline for all redesignation areas.

TABLE 7

CARBON MONOXIDE WINTER SEASONAL EMISSION INVENTORY TRENDS¹ (TONS PER DAY)

CO NONATTAINMENT AREA	1990	1993	1995	2000	2005	2010
Bakersfield ²	423	356	348	329	304	286
Chico	229	189	183	167	155	153
Fresno	511	436	414	362	328	321
Lake Tahoe North Shore	32	28	26	22	19	18
Lake Tahoe South Shore	100	89	86	76	66	64
Modesto	311	282	270	239	216	212
Sacramento Area ³	1214	1026	971	822	690	635
San Diego	1927	1492	1345	1062	904	832
San Francisco-Oakland-San Jose ⁴	3731	3019	2786	2268	1896	1716
Stockton	463	400	380	334	297	285

¹ ARB 1993 base year emission inventory (10/3/95 run date--based on EMFAC7F). Except where noted, emissions data reflect county totals.

² Reflects corrected Kern County emission inventory (1/29/96 run date).

³ Combined emission inventory for Sacramento, Placer, and Yolo Counties.

⁴ Emission inventory for San Francisco Bay Area Air Basin.

2. Contingency Measures

Maintenance plans for attainment areas must include contingency provisions, or extra measures beyond those needed for attainment, to offset any unexpected increase in emissions and ensure that the standard is maintained. Typically, contingency measures are held in reserve and implemented only if an area violates the standard in the future. However, California's on-going motor vehicle program creates a unique situation and allows ARB to offer, as contingency, several regulations that will be implemented, regardless of monitored CO levels. Table 8 shows adopted ARB measures with multi-pollutant benefits which will "come on line" from 1996 through 2003. These measures will generate new reductions in CO emissions, above and beyond those needed for attainment. These measures provide sufficient reductions in future years to guarantee an ample margin of safety to ensure maintenance of the standard and to provide adequate additional reductions to cover the contingency requirements.

TABLE 8
CONTINGENCY MEASURES

Implementation Date(s)	Regulation
1996	Improved Basic Inspection and Maintenance Program (Bay Area, Chico, North and South Shore Lake Tahoe ¹)
1996	Enhanced Inspection and Maintenance Program (Bakersfield, Fresno, Modesto, Sacramento Area ² , San Diego, Stockton)
1996	On-Board Diagnostics II (Statewide)
1996	California Cleaner-Burning Gasoline (Statewide)
1997	Off-Highway Recreational Vehicles (Statewide)
1999	Lawn and Garden Equipment - Tier II (Statewide)
1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003 and later	Low-Emission Vehicles and Clean Fuels - Post 1995 Standards (Statewide)

¹ Program applies to change of ownership only.

² Pilot program implemented in 1995.

U.S. EPA policy guidance states that, at a minimum, the contingency measures must include a requirement that the State will implement all measures contained in the nonattainment CO SIP prior to redesignation (*General Preamble for the Implementation of Title I*, 57 FR 13498 and Calcagni memo, "Procedures for Processing Requests to Redesignate Areas to Attainment," September 4, 1992). California commits to meeting this requirement. The ARB has previously submitted the above regulations (or waiver requests as appropriate) to support the 1994 California SIP for Ozone.

3. Continued Air Monitoring and Verification of Continued Attainment

Continued attainment must be verified from ambient air quality data collected in the redesignation areas. ARB will continue to comply with the monitoring criteria set forth in 40 CFR 58, "Ambient Air Quality Surveillance." In addition, ARB will annually review data from the two most recent, consecutive years in order to verify continued attainment of the national carbon monoxide standard.

4. Additional Requirements for High Moderate Areas (Original Design Value Greater than 12.7 ppm)

U.S. EPA policy calls for high moderate areas to base their maintenance demonstration on the same type of model as was used for the attainment demonstration. The model must show that proposed reductions in emissions will be enough to maintain the standard. The only area that falls into this category is the Fresno Urbanized Area. Fresno's earlier attainment demonstration was based on a directly proportional rollback analysis which assumes a direct correlation between emissions and ambient CO levels.

The model must be based on data collected from the area's microscale or "hot spot" site where CO levels are highest. The current "hot spot" or microscale monitoring site in Fresno, on which the design value is based, is located at the intersection of Fisher and Olive Streets which began operating in November 1994. This site replaced the historic Fresno-Olive site on which the nonattainment designation was based. The Fisher site is located approximately 600 feet east of First Street and 125 feet south of Olive Street, very close to the historic Fresno-Olive site. Traffic counts from the First and Olive Streets intersection over the past several years verify that the monitor is located near one of the top ten most frequently traveled intersections in the Fresno Urbanized Area. This area of Fresno is primarily residential and is not impacted by stationary sources of carbon monoxide.

Table 9 includes rollback analyses, similar to the one used in Fresno's attainment demonstration, which demonstrate that Fresno will be able to maintain the CO standard through 2010. The rollback analyses provide linear projections of the design values based on the winter seasonal emission inventory for all sources and on the motor vehicle portion of the inventory. Both sets of estimated design values show that the Fresno area will be able to maintain the CO standard with a considerable margin of safety, despite the projected increase in VMT. The emission inventory incorporates the benefits associated with the ARB regulations which were implemented prior to 1996 (Table 6), and also includes the ARB-adopted regulations (Table 8) that will "come on line" in 1996 and beyond.

TABLE 9

ROLLBACK ANALYSIS FOR THE FRESNO URBANIZED AREA
(Winter Seasonal Emission Inventory)

Fresno Urbanized Area	1993	1995	2000	2005	2010
All Sources of CO in the Emission Inventory (EI)	436 (tpd)	414	362	328	321
Projected Design Value (DV) ($\frac{1993EI}{1993DV} \propto \frac{2010EI}{2010DV}$)	9.1 ¹ (ppm)	8.6	7.6	6.8	6.7
On-Road Motor Vehicle Portion of the CO Emission Inventory ²	296 (tpd)	272	211	164	146
Projected Design Value (DV) ($\frac{1993EI}{1993DV} \propto \frac{2010EI}{2010DV}$)	9.1 (ppm)	8.4	6.5	5.0	4.5
Vehicle Miles Traveled ³ (in thousands)	16744	17897	21262	24538	27814

¹ 1993-1994 Design Value

² ARB Motor Vehicle Emission Inventory (MVEI7F); 1993 base year.

³ ARB motor vehicle activity data (BURDEN7F); run date 1/19/94.

IV. TRANSPORTATION CONFORMITY REQUIREMENTS

CAA section 176(c) requires federally-supported transportation activities to be consistent with the SIP. This requirement is referred to as conformity. Transportation plans, programs, and projects must not cause or worsen violations of federal air quality standards, or impede attainment or maintenance of those standards. Moreover, transportation agencies must show that emissions from proposed regional transportation systems will not exceed the emissions attributed to on-road mobile sources in submitted implementation plans.

Metropolitan Planning Organizations and the U.S. Department of Transportation demonstrate that proposed transportation plans and programs are consistent with the SIP by showing that emissions associated with these plans and programs do not exceed applicable carrying capacities or "emission budgets."

The CO emission budgets shown in Table 10 are derived from the on-road motor vehicle emission inventory for CO in the attainment year for each county. These budgets become effective upon approval of this Maintenance Plan by U.S. EPA.

TABLE 10
ON-ROAD CARBON MONOXIDE EMISSION BUDGETS

CO NONATTAINMENT AREA	EMISSIONS BUDGET ¹ (TONS/DAY)
Bakersfield (Kern Co.) ²	223
Chico (Butte Co.)	100
Fresno (Fresno Co.)	296
Lake Tahoe North Shore	21
Lake Tahoe South Shore	63
Modesto (Stanislaus Co.)	177
Sacramento Urbanized Area ³	780
San Diego (San Diego Co.)	1195
San Francisco Bay Area ⁴	2193
Stockton (San Joaquin Co.)	261

¹ Emission budgets represent ARB's seasonal on-road motor vehicle emission inventory, MVEI7F; 1993 base year.

² Reflects corrected Kern County emission inventory (1/29/96 run date).

³ Combined budgets for Placer (Sacramento Valley Air Basin portion), Sacramento, and Yolo Counties.

⁴ Combined budgets for all nine counties in the San Francisco Bay Area Air Basin.

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[Federal Register: March 31, 1998 (Volume 63, Number 61)]
[Rules and Regulations]
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[DOCID:fr31mr98-15]

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[CA 041-0067b; FRL-5983-9]

Approval and Promulgation of State Implementation Plans and
Redesignation of California's Ten Federal Carbon Monoxide Planning
Areas to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on maintenance plans and
redesignation requests submitted by the California Air Resources Board
(CARB) to redesignate ten of California's federal carbon monoxide
planning areas from nonattainment to attainment for the National
Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO). They
are: Bakersfield Metropolitan Area, Fresno Urbanized Area, Lake Tahoe
South Shore Area, Sacramento Area, San Francisco-Oakland-San Jose Area,
Chico Urbanized Area, Lake Tahoe North Shore Area, Modesto Urbanized
Area, San Diego Area, and Stockton Urbanized Area. Under the Clean Air
Act as amended in 1990 (CAA), designations can be revised if sufficient
data is available to warrant such revisions. In this action, EPA is
approving California's maintenance plans and redesignation requests
because they meet the requirements set forth in the CAA. In addition,
EPA is approving a related State Implementation Plan (SIP) submission
by CARB, an Air Quality Attainment Plan for CO for Fresno.

EPA is publishing this rule without prior proposal because the
Agency views this as a noncontroversial amendment and anticipates no
adverse comments. However, in the proposed rules section of this
Federal Register publication, EPA is publishing a separate document
that will serve as the proposal to approve the SIP revision should
relevant adverse comments be filed.

DATES: This rule is effective June 1, 1998 without further notice
unless the Agency receives relevant adverse comments by April 30, 1998.
If the effective date is delayed timely notice will be published in the
Federal Register.

ADDRESSES: As indicated in the parallel proposed rule, comments should
be addressed to the EPA contact below. The rulemaking docket for this
notice, Docket No. 98-XX, may be inspected and copied at the following
location during normal business hours. A reasonable fee may be charged
for copying parts of the docket.

Environmental Protection Agency, Region 9, Air Division, Air Planning
Office (AIR-2), 75 Hawthorne Street, San Francisco, CA 94105-3901.
Environmental Protection Agency, Air Docket (6102), 401 "M" Street
SW., Washington, DC 20460.

Copies of the SIP materials are also available for inspection at
the addresses listed below:

California Air Resources Board, 2020 L Street, Sacramento, CA 92123-
1095.
San Joaquin Valley Unified APCD, 1999 Tuolumne St., Suite 200, Fresno,

CA 93721.
 Placer County, DeWitt Center, 11464 B Avenue, Auburn, CA 95603.
 Sacramento Metropolitan APCD, 8411 Jackson Road, Sacramento, CA 95826.
 Bay Area Air, Quality Management District, 939 Ellis Street, San Francisco, CA 94109.
 Butte County, 2525 Dominic Drive, Suite J, Chico, CA 95928-7184.
 El Dorado County, 2850 Fairlane Ct., Bldg. C, Placerville, CA 95667-4100.
 Yolo-Solano County, 1947 Galileo Ct., Suite 103, Davis, CA 95616-4882.
 San Diego County, Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1095.

FOR FURTHER INFORMATION CONTACT: Larry A. Biland, Air Planning Office (AIR-2), Air Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA, 94105-3901. Telephone: (415) 744-1227.

SUPPLEMENTARY INFORMATION:

I. Background

A. Areas Requesting Redesignation

The ten areas requesting redesignation were determined to be nonattainment for CO in the November 6, 1991, Federal Register (Vol. 56, No. 215, pp. 56723-56725). CARB's emission control programs, including strict motor vehicle emission standards and the clean fuels program, have reduced CO emissions. The decrease in emissions has improved CO air quality so that they now attain the National Ambient Air Quality Standard (NAAQS) and are therefore eligible for redesignation to attainment for the national CO standard. The ten areas are:

Bakersfield Metropolitan Area
 Chico Urbanized Area
 Fresno Urbanized Area
 Lake Tahoe No. Shore Area ¹

 \1\ Placer County part of Lake Tahoe Air Basin.

Lake Tahoe So. Shore Area ²

 \2\ El Dorado County part of Lake Tahoe Air Basin.

Modesto Urbanized Area
 Sacramento Area ³

 \3\ Urbanized parts of Sacramento, Placer, and Yolo Counties.

San Diego Area ⁴

 \4\ Western part of County only.

San Francisco-Oakland-San Jose Area ⁵

 \5\ Urbanized parts of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Stockton Urbanized Area

Eight of the areas were classified as moderate nonattainment, while two areas (Lake Tahoe No. Shore Area and Bakersfield Metropolitan Area) were unclassified. Moderate areas are those with an eight-hour average CO design

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value between 9.1 and 16.4 parts per million (ppm) or less. (The design value is the highest of the second high eight-hour concentrations observed at any site in the area over eight consecutive quarters and is the value on which the determination of attainment or nonattainment is based.) An "unclassified" nonattainment area is one with data showing no violations but, because it had been designated as nonattainment prior to the 1990 CAA Amendments, was continued as nonattainment by operation of law until redesignation requirements are completed.

II. Evaluation Criteria

Section 107(d)(3)(E) of the 1990 Clean Air Act Amendments provides five specific requirements that an area must meet in order to be redesignated from nonattainment to attainment.

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

III. Review of State Submittal

EPA attempts to make completeness determinations within 60 days of receiving a submission. However, a submittal is deemed complete by operation of law if a completeness determination is not made by EPA six months after receipt of the submission. In this instance, a completeness determination was made by operation of law. The redesignation requests for Bakersfield Metropolitan Area, Fresno Urbanized Area, Lake Tahoe South Shore Area, Sacramento Area, San Francisco-Oakland-San Jose Area, Chico Urbanized Area, Lake Tahoe North Shore Area, Modesto Urbanized Area, San Diego Area, and Stockton Urbanized Area meet the five requirements of section 107(d)(3)(E), noted above. The following is a brief description of how the State has fulfilled each of these requirements.

1. Attainment of the CO NAAQS

The State and Local Air Monitoring Stations (SLAMS) form the network of monitoring stations that provide the data used to demonstrate attainment. This network is reviewed annually by the CARB and the U.S. EPA as part of the development of the State and Local Air Monitoring Network Plan, as required by Title 40, Code of Federal Regulations (CFR), Part 58. All CO data reviewed to confirm attainment were retrieved from the Aerometric Information Retrieval System (AIRS) maintained by U.S. EPA. These data were reviewed for completeness, especially for the winter months of November, December, and January, during which concentrations are highest. The data used to confirm attainment are the CO eight-hour design values. The design value is the highest of the second high eight-hour concentrations observed at any site in the area over eight consecutive quarters. Table 1 lists the design value for each nonattainment area. EPA has also reviewed the most recent years' data in AIRS as a further check that the air quality levels in these areas show no violations; these design values are provided in the final column of Table 1.

Table 1.--Carbon Monoxide Design Values

Attainment	Design	1995--1996 Design
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Nonattainment area	period \6\	value (ppm)	value (ppm)
Bakersfield.....	\7\ 1992-1994	6.1	5.6
Chico.....	\8\ 1993-1995	5.4	5.3
Fresno.....	\9\ 1993-1995	9.1	8.3
Lake Tahoe North Shore.....	1993-1994	3.8	\10\ 3.2
Lake Tahoe South Shore.....	1993-1994	7.4	5.3
Modesto.....	1993-1994	6.6	5.6
Sacramento Area.....	1993-1995	9.1	7.1
San Diego.....	1993-1994	7.0	6.0
San Francisco-Oakland-San Jose..	1993-1994	7.2	5.8
Stockton.....	1993-1994	7.5	6.7

\6\ Except as otherwise noted, data are from calendar years 1993 and 1994.

\7\ Bakersfield: The sites used for the attainment demonstration were closed during the third quarter of 1994. Therefore, the eight-hour design value was based on CO data from November 1992 through February 1993 and November 1993 through February 1994.

\8\ Chico: The 1993-1994 period is missing two of the eight months that have potential for high CO values; therefore, the eight-hour design value was based on CO data from November 1993 through February 1994 and November 1994 through February 1995.

\9\ Fresno: The site triggering the nonattainment designation, Fresno-Olive, was closed during 1990. Data supporting the attainment demonstration are from Fresno-Fisher, a site determined to be equivalent. CO data from the Fresno-Fisher site are for November 1993 through January of 1994 and December 1994 through February 1995.

\10\ 1994-1995 data.

Air quality data show that the ten areas no longer violate the national eight-hour CO standard.

2. Fully Approved SIP Under Section 110(k) of the CAA

As set forth in the CAA, the applicable requirements for redesignation are found in sections 110, part D, and 211 (m) (1). The required SIP elements were submitted by CARB and are being approved below.

a. Attainment Demonstration for Fresno

The CAA requires an attainment demonstration for all CO nonattainment areas that have a design value greater than 12.7 ppm. The only nonattainment area of the ten included in this action that falls under this condition is the Fresno-Clovis urbanized area which had a design value of 13 ppm. The original CO attainment demonstration for the

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Fresno Urbanized nonattainment area was submitted by California to EPA on December 28, 1992. Table 2 shows the Rollback Analysis for the Fresno Nonattainment Area. The demonstration uses a direct proportional rollback analysis which assumes a linear correlation between CO emissions and ambient concentrations of CO. The design value was chosen according to EPA's criteria which is the second highest recorded 8-hour concentration of CO during 1988 and 1989. The analysis used a design value of 13.0 ppm and a target of 9.0 ppm (the Federal standard). This analysis was done for the years 1988 through 1995 to compare target emissions levels and to allow for meteorological variations which may have impacted CO levels. Table 2 also lists the wintertime emissions estimates for 1988 through 1995 based on the 1987 base inventory. The analysis used the wintertime on-road mobile source inventory since there are no stationary CO sources near the monitoring sites. The design monitoring site is located in the urban core of the city (Shields and First) and there are no industrial CO sites that impact this location. The vehicle emission estimates, which are based on relatively new speed correction factors, assume the benefits of the CARB regulations prescribing the oxygenate content of gasoline. The

estimates do not include the benefits of an Enhanced Inspection and Maintenance program for on-road motor vehicles or District proposed transportation control measures. Table 2 also includes the annual second high ambient CO concentrations for each year used in the rollback calculations and the resulting "emission target". The emission target is an estimate of the maximum amount of emissions that should provide for attainment.

Table 2.--Rollback Analysis
 [(Data is from the 1992 SIP submittal) Fresno Carbon Monoxide Nonattain

	1988	1989	1990	1991	1992
On-road mobile emissions (t/d) ..	402	398	371	356	308
Second highest recorded value (ppm)	\11\13.0	\11\12.6	\12\8.8	\12\9.0
Emission Target (t/d) {C=(A x 9 ppm)<divide>B}	278	284	379	356

\10\ Carbon monoxide wintertime emission estimates for motor vehicle emissions are c (EMFAC7EPCFCO) and the benefits of CARB's oxygenated fuel regulation.
 \11\ Monitoring site located at Olive Street.
 \12\ Monitoring site located at First Street.

The rollback analysis for Fresno projected that attainment would be achieved by 1995, based on a linear projection of reductions required to achieve attainment. The actual 1993-1995 design value for the entire nonattainment area was 9.1 ppm. EPA's review of the 1995-1996 air quality data entered into the AIRS data base indicates that the actual 1995-1996 design value for the Fresno, 1145 Fisher St. CO monitor was 8.3 ppm. This trend is consistent with evidence that the Fresno Area CO emissions continue to drop.

b. New Source Review (NSR) SIP Submittals

Consistent with the October 14, 1994 EPA guidance from Mary D. Nichols entitled "Part D New Source Review (Part D NSR) Requirements for Areas Requesting Redesignation to Attainment," EPA is not requiring full approval of a Part D NSR program by California as a prerequisite to redesignation to attainment. Under this guidance, nonattainment areas may be redesignated to attainment notwithstanding the lack of a fully approved Part D NSR program so long as the program is not relied upon for maintenance. California has stated in their redesignation request that they have not relied on a NSR program for CO sources to maintain attainment.

c. Contingency Measures for VMT Exceedances

CAA Section 187(a)(2)(A) requires CO areas with a design value above 12.7 ppm to submit a forecast of vehicle miles traveled (VMT) through the attainment date, and to provide for annual updates. Fresno's "Federal 1992 Air Quality Attainment Plan for CO" includes the VMT projections through 1995 (Table 2) and a commitment to update the projections. The projections meet applicable EPA guidelines. CAA Section 187(a)(3) requires SIPs for CO areas with a design value above 12.7 ppm to contain contingency measures to be implemented if VMT projected levels are exceeded or the area fails to attain by its CAA deadline. Based on the measures included in the SIP, the Fresno area attained the CO NAAQS by its scheduled date and did not exceed its VMT projected levels through 1995. Therefore, EPA approves the SIP for Fresno with respect to the provisions of Sections 187(a)(2)(A) and 187(a)(3).

d. Improvement in Air Quality Due to Permanent and Enforceable Measures

Improvements in air quality must be shown not to have occurred as a result of temporary economic conditions or favorable meteorology. One approach to assessing whether economic conditions contributed to improved air quality is to review the VMT trends for each CO nonattainment area. Motor vehicle usage has been observed in the past to decrease with poor economic conditions. Because motor vehicles are the primary source of CO, any significant change in VMT should be reflected as changes in CO emissions. Table 3 shows VMT increased, on average, 14 percent, for the areas during the period in which CO air quality was improving. This supports a finding that CO emission

reductions did not occur as a result of decreased VMT associated with an economic downturn.

Table 3.--Vehicle Miles Traveled <SUP>13
[Thousands]

Area	1990	1993	1995
Bakersfield Metropolitan Area (Kern Co.).....	12606	13728	15196
Chico Urbanized Area (Butte Co.)..	3988	4196	4394
Fresno Urbanized Area (Fresno Co.).....	15150	16744	17897
Lake Tahoe No. Shore (Placer Co.)	383	434	451
[[Page 15308]]			
Lake Tahoe So. Shore (El Dorado Co.).....	811	897	923
Modesto Urbanized Area (Stanislaus Co.).....	8478	9465	10121
Stockton Urbanized Area (San Joaquin Co.).....	11508	13084	14139
Placer Co (Sacramento Valley)....	5700	6302	7040
Sacramento Co.....	22202	24811	26550
Yolo Co.....	3598	3990	4252
San Diego Area (San Diego Co.) <SUP>14	61990	63272	64121
Alameda Co.....	25345	26601	27857
Contra Costa Co.....	15883	17146	17989
Marin Co.....	5201	5332	5420
Napa Co.....	1791	1965	2080
San Francisco Co.....	8347	8670	8886
San Mateo Co.....	12980	13483	13819
Santa Clara Co.....	28023	29229	30036
Solano Co.....	5880	6337	6643
Sonoma Co.....	4909	5265	5504

\13\ CARB motor vehicle activity data (BURDEN7F); 1/19/94 run date.
 \14\ VMT estimates for San Diego based on data supplied by SANDAG in August 1994.

The improved air quality also must not have occurred solely because of favorable meteorology. Stable weather conditions characterized by cold temperatures, very low inversion layers, and very light to no winds contribute to higher CO levels. In contrast, unstable weather conditions characterized by medium to strong, gusty winds provide good mixing and dispersion which contribute to lower CO levels. An indicator that can be used to estimate unstable weather conditions during a season is the number of days with measurable precipitation (>0.01"). Therefore, one method for assessing favorable meteorology is to compare the historical average number of days with measurable precipitation in a CO season (November through February) with the number of days during the attainment period. Table 4 displays data comparing the historical (1961-1995) average number of days with measurable precipitation in a CO season with the number of days in the two CO seasons on which the attainment demonstration is based.

Table 4.--Measurable Precipitation (<gr-thn-eq>0.01") During CO

Station	35-year average	
	Number of days	Number
Bakersfield.....	22	
Chico <SUP>16.....		38
Fresno.....	27	
Lake Tahoe <SUP>17.....		<SUP>.....
Modesto <SUP>18.....		31

Sacramento.....	35
San Francisco.....	37
San Diego.....	23
Stockton.....	30

<SUP>15 Precipitation data were obtained from the National Oceanic and Atmospheric A
 <SUP>16 Chico precipitation data for 1961 through 1990 based on data gathered at Red
 were used for 1991-1995.

<SUP>17 Historical precipitation data for Lake Tahoe were not available.

<SUP>18 Modesto precipitation data for 1961 through 1990 based on data gathered at S
 data were used for 1991-1995.

As shown in Table 4, the 1992-1993 CO season had more days of measurable precipitation than the 35-year average, while the 1993-1994 CO season had, except for San Diego, fewer days of precipitation than the historical average for all the sites. Although it appears that CO concentrations during the 1992-1993 season may have been influenced by favorable meteorology, the decline in CO design values continued during the 1993-1994 CO season, despite less favorable meteorology. The data support a finding that favorable meteorology did not account solely for the lower CO levels during the attainment period.

e. Fully Approved Maintenance Plan Under Section 175A

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The plan must demonstrate continued attainment of the applicable NAAQS for at least ten years after the Administrator approves a redesignation to attainment. Eight years after the redesignation, the State must submit a revised maintenance plan which demonstrates attainment for the ten years following the initial ten-year period. In the event of a CO NAAQS violation, the maintenance plan must contain contingency measures, with a schedule for implementation adequate to assure prompt correction of any air quality problems. In this notice EPA is approving the State of California's maintenance plans for the: Bakersfield Metropolitan Area, Fresno Urbanized Area, Lake Tahoe South Shore Area, Sacramento Area, San Francisco-Oakland-San Jose Area, Chico Urbanized Area, Lake Tahoe North

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Shore Area, Modesto Urbanized Area, San Diego Area, and Stockton Urbanized Area because EPA finds that California's submittal meets the requirements of section 175A.

(i). Emission Inventory. Clean Air Act sections 172(c)(3) and 187(a)(1) require that CO plans include comprehensive, accurate, and current inventories of actual emissions from all sources. EPA's guidance for preparing emission inventories is discussed and referenced in the General Preamble (57 FR 134988, April 16, 1992). California originally submitted its inventory to EPA on November 13, 1992. The maintenance plan submittal provides more current inventories for each area. See Attachment 2, "Carbon Monoxide Winter Seasonal Emission Inventory (1990-2010)". Motor vehicle emissions were determined using California's EMFAC7F, which EPA has accepted for purposes of the California SIP.

EPA is approving these updated CO emission inventories, rather than the initial submission, as meeting the CAA requirements for these areas. For further details on EPA's review of the inventories, the reader is referred to the Technical Support Document.

(ii). Oxygenated Gasoline. Motor vehicles are major contributors of CO emissions. An important measure toward reducing these emissions is the use of cleaner-burning oxygenated gasoline. Extra oxygen, contained within the oxygenate in the fuel, enhances fuel combustion and helps to offset fuel-rich operating conditions, particularly during vehicle starting, which are more prevalent in the winter. Section 211(m) of the CAA requires that CO nonattainment areas, with a design value of 9.5 ppm based on data for the 2-year period of 1988 and 1989, submit a SIP revision for an oxygenated fuel program for such area. The oxygenated fuel requirement must apply to all fuel refiners or marketers who sell or dispense gasoline in the Metropolitan Statistical Area (MSA) or Consolidated Statistical Area (CMSA) in which the nonattainment area is

located. California submitted its motor vehicle fuels regulations on November 15, 1994. EPA approved the State's fuels regulations, including its requirements for oxygen content, on August 21, 1995 (60 FR 43379). Consistent with that action, EPA approves the SIP with respect to the requirements of sections 211(m) and 187(b)(3) for oxygen content of gasoline.

(iii). Vehicle Inspection and Maintenance (I/M). CAA Section 187(a)(4) requires basic vehicle I/M programs in CO nonattainment areas with design values equal to or less than 12.7 ppm; Section 187(a)(6) requires enhanced I/M programs for CO nonattainment areas with design values above 12.7 ppm. California submitted SIP revisions on June 30, 1995 and January 22, 1996 for both basic and enhanced I/M programs. On January 8, 1997, EPA approved the California I/M regulations for basic and enhanced I/M programs (62 FR 1150). Only Fresno is required to have Enhanced I/M for CO, since at the time of classification Fresno had a design value greater than 12.7 ppm (56 FR 56694, November 16, 1991). Fresno does not rely on emission reductions for CO from Enhanced I/M; however, the State's enhanced I/M Program has received interim approval to satisfy the enhanced I/M requirements of section 187(a)(6). I/M is not required in the Lake Tahoe Air Basin since it did not have an existing I/M program prior to enactment of the 1990 CAA Amendments (section 187(a)(4)).

(iv). Conformity. EPA interprets the conformity requirements as not being an applicable requirement for purposes of evaluating the redesignation request under section 1079d). The rationale for this is based on a combination of two factors. First, the requirement to submit SIP revisions to comply with the conformity provisions of the Act continues to apply to areas after redesignation to attainment. Therefore, the State remains obligated to adopt the transportation and general conformity rules even after redesignation and would risk sanctions for failure to do so. While redesignation of an area to attainment enables the area to avoid further compliance with most requirements of section 110 and Part D, since those requirements are linked to the nonattainment status of an area, the conformity requirements apply to both nonattainment and maintenance areas. Second, EPA's federal conformity rules require the performance of conformity analyses in the absence of State-adopted rules. Therefore, a delay in adopting State rules does not relieve an area from the obligation to implement conformity requirements. Because areas are subject to the conformity requirements regardless of whether they are redesignated to attainment and must implement conformity under Federal rules if State rules are not yet adopted, EPA believes it is reasonable to view these requirements as not being applicable requirements for purposes of evaluating a redesignation request. Under this policy, EPA believes that the CO redesignation request for the: Bakersfield Metropolitan Area, Fresno Urbanized Area, Lake Tahoe South Shore Area, Sacramento Area, San Francisco-Oakland-San Jose Area, Chico Urbanized Area, Lake Tahoe North Shore Area, Modesto Urbanized Area, San Diego Area, and Stockton Urbanized Area may be approved notwithstanding the lack of approved State transportation and general conformity rules.

(v). Demonstration of Maintenance-Projected Inventories. Maintenance of the standard can be shown by comparing the emissions inventory for the period during which an area attained the standard to emission inventory projections for at least ten years beyond the date of approval by the EPA (see Table 6). The emissions inventory comparison, which includes the years 1990, 1993, 1995, 2000, 2005, and 2010, shows emissions will continue to decline for all ten redesignation areas.

Table 6.--Carbon Monoxide Winter Seasonal Emission Inventory Tr
[Tons per day]

CO nonattainment area	1990	1993	1995	2000
Bakersfield <SUP>20.....		423	356	348
Chico.....	229	189	183	1
Fresno.....	511	436	414	3
Lake Tahoe North Shore.....	32	28	26	
Lake Tahoe South Shore.....	100	89	86	

Modesto.....	311	282	270	2
Sacramento Area <SUP>21.....	1214	1026	971	
San Diego.....	1927	1492	1345	10
San Francisco-Oakland-San Jose <SUP>22.	3731	3019	2786	

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Stockton.....	463	400	380	3
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<SUP>19 CARB 1993 base year emission inventory (10/3/95 run date--based on EMFAC7F). data reflect county totals.
 <SUP>20 Reflects corrected Kern County emission inventory (1/29/96 run date).
 <SUP>21 Combined emission inventory for Sacramento, Placer, and Yolo Counties.
 <SUP>22 Emission inventory for San Francisco Bay Area Air Basin.

(vi) Contingency Plan. Maintenance plans for attainment areas must include contingency provisions, or extra measures beyond those needed for attainment, to offset any unexpected increase in emissions and ensure that the standard is maintained (175(A)(d)). Typically, contingency measures are held in reserve and implemented only if an area violates the standard in the future. However, California claims its on-going motor vehicle program creates a unique situation and allows CARB to offer, as contingency, several regulations that will be implemented, regardless of monitored CO levels.

Table 7 shows fully adopted CARB regulations with multi-pollutant benefits which "come on line" from 1996 through 2003.

Table 7.--Contingency Measures

Date(s)	Implementation regulation
1996.....	Improved Basic Inspection and Maintenance Program (Bay Area, Chico, North and South Shore Lake Tahoe) <SUP>23
1996.....	Enhanced Inspection and Maintenance Program (Bakersfield, Fresno, Modesto, Sacramento Area, San Diego, Stockton)
1996.....	On-Board Diagnostics II (Statewide).
1996.....	California Cleaner-Burning Gasoline (Statewide).
1997.....	Off-Highway Recreational Vehicles (Statewide).
1999.....	Lawn and Garden Equipment--Tier II (Statewide).
1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003 and later.	Low-Emission Vehicles and Clean Fuels--Post 1995 Standards (Statewide).

<SUP>23 Inspection required upon change of ownership only. There is no biannual vehicle inspection in these areas.

California maintains that these adopted regulations will generate new reductions in CO emissions, above and beyond those needed for attainment and provide sufficient reductions in future years to guarantee an ample margin of safety to ensure maintenance of the standard and to provide adequate additional reductions to cover the contingency requirements. EPA agrees with California's claims and approves its contingency plan.

(vii) Subsequent Maintenance Plan Revisions. In accordance with section 175A(b) of the CAA, the State has agreed to submit a revised maintenance SIP eight years after the area is redesignated to attainment. Such revised SIP will provide for maintenance for an additional ten years.

f. Meeting Applicable Requirements of Section 110 and Part D

In Section III.2. above, EPA sets forth the basis for its approval of California's SIP as meeting the applicable requirements of Section 110 and Part D of the CAA. EPA is approving this action without prior proposal because the Agency views this as noncontroversial and anticipates no adverse comments. However, if EPA receives relevant adverse comments by April 30, 1998, then EPA will publish a document that withdraws only those portions of the action on which EPA received the adverse comments, informing the public that those portions of the action did not take effect. EPA will then address those comments in a final action based upon this proposed rule. EPA will not institute a second comment period on the proposed rule. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this rule will be effective on June 1, 1998 and no further action will be taken on the proposed rule.

Final Action

EPA is approving Fresno's attainment plan, a maintenance plan for California's federal carbon monoxide (CO) planning areas, and a request to redesignate these areas. They are: Bakersfield Metropolitan Area, Fresno Urbanized Area, Lake Tahoe South Shore Area, Sacramento Area, San Francisco-Oakland-San Jose Area, Chico Urbanized Area, Lake Tahoe North Shore Area, Modesto Urbanized Area, San Diego Area, and Stockton Urbanized Area. Under the 1990 amendments of the Clean Air Act (CAA) designations can be revised if sufficient data is available to warrant such revisions. In this action, EPA is approving California's request because it meets the maintenance plan and redesignation requirements set forth in the CAA. This action is being taken under sections 107 and 110 of the CAA. Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this Federal Register publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. If EPA receives relevant adverse comments by April 30, 1998, then EPA will publish a document that withdraws only those portions of the action on which EPA received the adverse comments, informing the public that those portions of the action are withdrawn. EPA will then address those comments in a final action based upon this proposed rule. EPA will not institute a second comment period on the proposed rule. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this rule will be effective on June 1, 1998 and no further action will be taken on the proposed rule.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

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B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA 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, EPA 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 and redesignation to attainment under sections 107, 110, and subchapter I, part D of the Clean Air Act do not create any new requirements. Therefore, because the Federal SIP approval and redesignation to attainment do not impose any new requirements, the Administrator certifies that the actions do not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval and redesignation action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law and redesignates areas to attainment, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit 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 United States prior to publication of the rule in the Federal Register. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

E. Petitions for Judicial Review

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 June 1, 1998. 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

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Transportation.

40 CFR Part 81

Air pollution control, National parks.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: March 4, 1998.
Felicia Marcus,
Regional Administrator, Region IX.

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 et seq.

Subpart F--California

2. Section 52.220 is amended by adding paragraphs (c) (252) and (253) to read as follows:

Sec. 52.220 Identification of plan.

* * * * *

(c) * * * *

(252) Air Quality Management Plan for the following APCD was submitted on December 28, 1992, by the Governor's designee.

(i) Incorporation by reference. (A) San Joaquin Valley Unified Air Pollution Control District.

(1) Federal 1992 Air Quality Attainment Plan for Carbon Monoxide and Appendices adopted on November 18, 1992.

(253) Carbon Monoxide Redesignation Request and Maintenance Plan for ten federal planning areas submitted on July 3, 1996, by the Governor's designee.

(i) Incorporation by reference.

(A) California Air Resources Board. (1) Carbon Monoxide Redesignation Request and Maintenance Plan for the following areas: Bakersfield Metropolitan Area, Chico Urbanized Area, Fresno Urbanized Area, Lake Tahoe North Shore, Lake Tahoe South Shore, Modesto Urbanized Area, Sacramento Area, San Diego Area, San Francisco-Oakland-San Jose Area, and Stockton Urbanized Area adopted on April 26, 1996.

* * * * *

PART 81-- [AMENDED]

1. The authority citation for part 81 continues to read as follows:

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

2. In Sec. 81.305, the table for California--Carbon Monoxide is amended by revising the entries for "Bakersfield Area," "Chico Area," "Fresno Area," "Lake Tahoe North Shore Area," "Lake Tahoe South Shore Area," "Modesto Area," "Sacramento Area," "San Diego Area," "San Francisco-Oakland-San Jose Area," and "Stockton Area" to read as follows:

Sec. 81.305 California.

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California--Carbon Mo

Designated area	Date\1\	Designation
Bakersfield Area:		
Kern County (part).....	April 30, 1998.....	Attainment.
Bakersfield Metropolitan Area (Urbanized part)		
Chico Area:		
Butte County (part).....	April 30, 1998.....	Attainment.
Chico Urbanized Area (Census Bureau Urbanized part).		
Fresno Area:		
Fresno County (part).....	April 30, 1998.....	Attainment.
Fresno Urbanized Area		
Lake Tahoe North Shore Area:		
Placer County (part).....	April 30, 1998.....	Attainment.
* * *		
Lake Tahoe South Shore Area:		
El Dorado County (part).....	April 30, 1998.....	Attainment.
Modesto Area:		
Stanislaus County (part).....	April 30, 1998.....	Attainment.
Modesto Urbanized Area (Census Bureau Urbanized Area).		
Sacramento Area:		
Census Bureau Urbanized Areas.....	April 30, 1998.....	Attainment.
Placer County (part)		
Sacramento County (part)		
Yolo County (part)		
San Diego Area:		
San Diego County (part).....	April 30, 1998.....	Attainment.
San Francisco-Oakland-San Jose Area:		
Urbanized Areas.....	April 30, 1998.....	Attainment.
Alameda County (part)		
Contra Costa County (part)		
Marin County (part)		
Napa County (part)		
San Francisco County		
San Mateo County (part)		
Santa Clara County (part)		
Solano County (part)		
Sonoma County (part)		
Stockton Area:		
San Joaquin County (part).....	April 30, 1998.....	Attainment.
Stockton Urbanized Area:		
* * *		

\1\ This date is November 15, 1990, unless otherwise noted.

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[FR Doc. 98-8416 Filed 3-30-98; 8:45 am]
BILLING CODE 6560-50-P

