

("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 annual 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 action promulgated does not include a Federal mandate that may result in estimated annual 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 imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

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**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a "major" rule as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Mississippi SIP compilations had previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no

need in this action to reopen the 60-day period for filing such petitions for judicial review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: April 29, 1999.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

Part 52 of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

PART 52—[AMENDED]

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

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

Subpart Z—Mississippi

2. Section 52.1270 paragraph (b) is revised to read as follows:

§ 52.1270 Identification of plan.

* * * * *

(b) Incorporation by reference.

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to July 1, 1999, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after July 1, 1999, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of July 1, 1999.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.; or at the EPA, Air and Radiation Docket and Information

Center, Air Docket (6102), 401 M Street, SW., Washington, DC. 20460.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TN-9922; FRL-6367-5]

Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Revised Format for Materials Being Incorporated by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; notice of administrative change.

SUMMARY: EPA is revising the format of 40 CFR part 52 for materials submitted by the State of Tennessee that are incorporated by reference (IBR) into the State implementation plan (SIP). The regulations affected by this format change have all been previously submitted by the State agency and approved by EPA.

This format revision will affect the "Identification of plan" sections of 40 CFR part 52, as well as the format of the SIP materials that will be available for public inspection at the Office of the Federal Register (OFR), the Air and Radiation Docket and Information Center located in Waterside Mall, Washington, D.C., and the Regional Office. The sections of 40 CFR part 52 pertaining to provisions promulgated by EPA or State-submitted materials not subject to IBR review remain unchanged.

EFFECTIVE DATE: This action is effective June 30, 1999.

ADDRESSES: SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations:

Environmental Protection Agency, Region 4, 61 Forsyth Street, SW, Atlanta, GA 30303; Office of Air and Radiation, Docket and Information Center (Air Docket), EPA, 401 M Street, SW, Room M1500, Washington, DC 20460; and Office of the Federal Register, 800 North Capitol Street, NW, Suite 700, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Steven M. Scofield at the above Region 4 address or at (404) 562-9034.

SUPPLEMENTARY INFORMATION: The supplementary information is organized in the following order:

- What is a SIP?
- How EPA enforces SIPs.
- How the State and EPA update the SIP.
- How EPA compiles the SIPs.
- How EPA organizes the SIP Compilation.
- Where you can find a copy of the SIP Compilation.
- The format of the new Identification of Plan Section.
- When a SIP revision become federally enforceable.
- The historical record of SIP revision approvals.
- What EPA is doing in this action.
- How this document complies with the Federal Administrative Requirements for rulemaking.

What Is a SIP?

Each state has a SIP containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS). The SIP is extensive, containing such elements as air pollution control regulations, emission inventories, monitoring network, attainment demonstrations, and enforcement mechanisms.

How EPA Enforces SIPs

Each state must formally adopt the control measures and strategies in the SIP after the public has had an opportunity to comment on them and then submit the SIP to EPA.

Once these control measures and strategies are approved by EPA, after notice and comment, they are incorporated into the federally approved SIP and are identified in Part 52 (Approval and Promulgation of Implementation Plans), Title 40 of the Code of Federal Regulations (40 CFR Part 52). The full text of the state regulation approved by EPA is not reproduced in its entirety in 40 CFR Part 52, but is "incorporated by reference." This means that EPA has approved a given state regulation with a specific effective date. The public is referred to the location of the full text version should they want to know which measures are contained in a given SIP. The information provided allows EPA and the public to monitor the extent to which a state implements the SIP to attain and maintain the NAAQS and to take enforcement action if necessary.

How the State and EPA Update the SIP

The SIP is a living document which the State can revise as necessary to address the unique air pollution problems in the State. Therefore, EPA from time to time must take action on SIP revisions containing new and/or

revised regulations as being part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference federally-approved SIPs, as a result of consultations between EPA and OFR.

EPA began the process of developing

1. A revised SIP document for each state that would be incorporated by reference under the provisions of 1 CFR part 51;

2. A revised mechanism for announcing EPA approval of revisions to an applicable SIP and updating both the IBR document and the CFR; and

3. A revised format of the "Identification of plan" sections for each applicable subpart to reflect these revised IBR procedures.

The description of the revised SIP document, IBR procedures and "Identification of plan" format are discussed in further detail in the May 22, 1997, **Federal Register** document.

How EPA Compiles the SIPs

The federally-approved regulations and source specific permits (entirely or portions of), submitted by each state agency have been compiled by EPA into a "SIP Compilation." The SIP Compilation contains the updated regulations and source specific permits approved by EPA through previous rule making actions in the **Federal Register**. The compilations are contained in 3-ring binders and will be updated, primarily on an annual basis.

How EPA Organizes the SIP Compilation

Each State Compilation contains two parts. Part 1 contains the regulations and Part 2 contains the source specific requirements that have been approved as part of the SIP. Each part has a table of contents identifying each regulation or each source specific permit. The table of contents in the compilation corresponds to the table of contents published in 40 CFR part 52 for each state. The Regional EPA Offices have the primary responsibility for ensuring accuracy and updating the compilations.

Where You Can Find a Copy of the SIP Compilation

The Region 4 EPA Office developed and will maintain the compilation for the State of Tennessee. A copy of the full text of each State's current compilation will also be maintained at the Office of Federal Register and EPA's Air Docket and Information Center.

The Format of the New Identification of Plan Section

In order to better serve the public, EPA revised the organization of the "Identification of plan" section and included additional information to clarify the enforceable elements of the SIP.

The revised Identification of plan section contains five subsections:

- (a) Purpose and scope
- (b) Incorporation by reference
- (c) EPA approved regulations
- (d) EPA approved source specific permits
- (e) EPA approved nonregulatory provisions such as transportation control measures, statutory provisions, control strategies, monitoring networks, etc.

When a SIP Revision Becomes Federally Enforceable

All revisions to the applicable SIP become federally enforceable as of the effective date of the revisions to paragraphs (c), (d), or (e) of the applicable identification of plan found in each subpart of 40 CFR part 52.

The Historical Record of SIP Revision Approvals

To facilitate enforcement of previously approved SIP provisions and provide a smooth transition to the new SIP processing system, EPA retains the original Identification of Plan section, previously appearing in the CFR as the first or second section of part 52 for each state subpart. After an initial two year period, EPA will review its experience with the new system and enforceability of previously approved SIP measures, and will decide whether or not to retain the Identification of Plan appendices for some further period.

What EPA Is Doing in This Action

Today's rule constitutes a "housekeeping" exercise to ensure that all revisions to the State programs that have occurred are accurately reflected in 40 CFR part 52. State SIP revisions are controlled by EPA regulations at 40 CFR part 51. When EPA receives a formal SIP revision request, the Agency must publish the proposed revision in the **Federal Register** and provide for public comment before approval.

EPA has determined that today's rule falls under the "good cause" exemption in section 553(b)(3)(B) of the Administrative Procedures Act (APA) which, upon finding "good cause," authorizes agencies to dispense with public participation and section 553(d)(3) which allows an agency to make a rule effective immediately

(thereby avoiding the 30-day delayed effective date otherwise provided for in the APA). Today's rule simply codifies provisions which are already in effect as a matter of law in Federal and approved State programs.

Under section 553 of the APA, an agency may find good cause where procedures are "impractical, unnecessary, or contrary to the public interest." Public comment is "unnecessary" and "contrary to the public interest" since the codification only reflects existing law. Immediate notice in the CFR benefits the public by removing outdated citations.

How This Document Complies With the Federal Administrative Requirements for Rule Making

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from review under Executive Order (E.O.) 12866, entitled Regulatory Planning and Review.

B. Executive Order 12875

Under E.O. 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 12875 requires EPA to provide to the Office of Management and Budget a description of the extent of EPA's prior consultation with representatives of affected State, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, E.O. 12875 requires EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates."

Today's rule does not create a mandate on State, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of E.O. 12875 do not apply to this rule.

C. Executive Order 13084

Under E.O. 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal

governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

D. Executive Order 13045

Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be "economically significant" as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant

impact on a substantial number of small entities because 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 create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of 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).

F. 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 annual 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 action promulgated does not include a Federal mandate that may result in estimated annual 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 imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

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).

H. Petitions for Judicial Review

EPA has also determined that the provisions of section 307(b)(1) of the Clean Air Act pertaining to petitions for judicial review are not applicable to this action. Prior EPA rulemaking actions for each individual component of the Tennessee compilation has previously afforded interested parties the opportunity to file a petition for judicial review in the United States Court of Appeals for the appropriate circuit within 60 days of such rulemaking action. Thus, EPA sees no need in this action to reopen the 60-day period for filing such petitions for judicial review.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and

recordkeeping requirements, Sulfur oxides.

Dated: April 30, 1999.

A. Stanely Meiburg,

Acting Regional Administrator, Region 4.

Part 52 of chapter I, title 40, *Code of Federal Regulations*, is amended as follows:

PART 52—[Amended]

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

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

Subpart RR—Tennessee

2. Section 52.2220 is redesignated as § 52.2239 and the section heading and paragraph (a) are revised to read as follows:

§ 52.2239 Original Identification of plan section.

(a) This section identifies the original "Tennessee Air Pollution Control Implementation Plan" and all revisions submitted by Tennessee that were federally approved prior to December 1, 1998.

* * * * *

3. A new § 52.2220 is added to read as follows:

§ 52.2220 Identification of plan.

(a) Purpose and scope. This section sets forth the applicable State implementation plan for Tennessee under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference.

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 1, 1998, was approved for incorporation by reference by the Director of the **Federal Register** in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the **Federal Register**. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.; or at the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M Street, SW., Washington, DC. 20460.

(c) EPA approved regulations.

EPA APPROVED TENNESSEE REGULATIONS

State citation	Title/subject	Adoption date	EPA approval date	Federal Register Notice
Chapter 1200-3-1 GENERAL PROVISIONS				
Section 1200-3-1-.01	General Rules	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-1-.02	Severability	10/12/79	06/24/82	47 FR 27267.
Chapter 1200-3-2 DEFINITIONS				
Section 1200-3-2-.01	General Definitions	08/01/90	04/18/94	59 FR 18310.
Section 1200-3-2-.02	Abbreviations	02/09/77	03/29/85	50 FR 12540.
Chapter 1200-3-3 AIR QUALITY STANDARDS				
Section 1200-3-3-.01	Primary Air Quality Standards	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-3-.02	Secondary Air Quality Standards	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-3-.03	Tennessee's Ambient Air Quality Standards	12/05/84	03/29/85	50 FR 12539.
Section 1200-3-3-.04	Nondegradation	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-3-.05	Achievement	08/02/83	04/07/93	58 FR 18011.
Chapter 1200-3-4 OPEN BURNING				
Section 1200-3-4-.01	Purpose	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-4-.02	Open Burning Prohibited	03/21/79	06/24/82	47 FR 27268.
Section 1200-3-4-.03	Exceptions to Prohibition	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-4-.04	Permits for Open Burning	06/21/79	06/24/82	47 FR 27268.
Chapter 1200-3-5 VISIBLE EMISSION REGULATIONS				
Section 1200-3-5-.01	General Standards	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.02	Exceptions	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.03	Method of Evaluating and Recording	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.04	Exemption	06/07/92	08/15/97	62 FR 43643.

EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	Adoption date	EPA approval date	Federal Register Notice
Section 1200-3-5-.05	Standard for Certain Existing Sources	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.06	Wood-Fired Fuel Burning Equipment	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.07	Repealed	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.08	Titanium Dioxide (TiO ₂) Manufacturing	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.09	Kraft Mill Recovery Furnaces	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.10	Choice of Visible Emission Standard for Certain Fuel Burning Equipment.	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.11	Soda Recovery Boilers	06/07/92	08/15/97	62 FR 43643.
Section 1200-3-5-.12	Coke Battery Underfire (combustion) Stacks	06/07/92	08/15/97	62 FR 43643.
Chapter 1200-3-6 NON-PROCESS EMISSION STANDARDS				
Section 1200-3-6-.01	General Non-Process Emissions	06/21/79	06/24/82	47 FR 27268.
Section 1200-3-6-.02	Non-Process Particulate Emission Standards	09/08/80	06/24/82	47 FR 27268.
Section 1200-3-6-.03	General Non-Process Gaseous Emissions	06/21/79	06/24/82	47 FR 27268.
Section 1200-3-6-.04	(Deleted)	06/21/79	06/24/82	47 FR 27268.
Section 1200-3-6-.05	Wood-Fired Fuel Burning Equipment	05/30/87	11/23/88	53 FR 47530.
Chapter 1200-3-7 PROCESS EMISSION STANDARDS				
Section 1200-3-7-.01	General Process Particulate Emission Standards	03/02/79	06/24/82	47 FR 27269.
Section 1200-3-7-.02	Choice of Particulate Emission Standards—Existing Process ..	04/12/78	06/07/79	44 FR 32681.
Section 1200-3-7-.03	New Processes	06/21/79	06/24/82	47 FR 27269.
Section 1200-3-7-.04	Limiting Allowable Emissions	03/21/79	06/07/79	44 FR 32681.
Section 1200-3-7-.05	Specific Process Emission Standards	06/07/74	06/07/79	44 FR 32681.
Section 1200-3-7-.06	Standards of Performance for New Stationary Sources	06/07/74	06/07/79	44 FR 32681.
Section 1200-3-7-.07	General Provisions and Applicability for Process Gaseous Emission Standards.	01/22/82	06/12/96	61 FR 29666.
Section 1200-3-7-.08	Specific Process Emission Standards	09/22/80	01/31/96	61 FR 3318.
Section 1200-3-7-.09	Sulfuric Acid Mist	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-7-.10	Grain Loading Limit for Certain Existing Sources	03/21/79	06/24/82	47 FR 27269.
Section 1200-3-7-.11	Carbon Monoxide, Electric Arc Furnaces	10/25/79	06/24/82	47 FR 27267.
Section 1200-3-7-.12	Carbon Monoxide, Catalytic Cracking Units	01/22/82	06/21/82	47 FR 26621.
Chapter 1200-3-8 FUGITIVE DUST				
Section 1200-3-8-.01	Fugitive Dust	07/11/80	06/24/82	47 FR 27269.
Section 1200-3-8-.02	Special Nonattainment Area Fugitive Dust Requirements	03/21/79	06/24/82	47 FR 27269.
Chapter 1200-3-9 CONSTRUCTION AND OPERATING PERMITS				
Section 1200-3-9-.01	Construction Permits	12/28/96	07/29/97	62 FR 40458.
Section 1200-3-9-.02	Operating Permits	09/21/94	02/13/97	62 FR 6724.
Section 1200-3-9-.03	General Provisions	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-9-.04	Exemptions	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-9-.05	Appeal of Permit Application Denials and Permit Conditions ...	11/16/79	06/24/82	47 FR 27269.
Chapter 1200-3-10 REQUIRED SAMPLING, RECORDING, AND REPORTING				
Section 1200-3-10-.01	Sampling Required to Establish Contaminant Emission Levels	12/14/81	03/19/96	61 FR 11136.
Section 1200-3-10-.02	Monitoring of Source Emissions, Recording, Reporting of the Same are Required.	12/14/81	03/19/96	61 FR 11136.
Chapter 1200-3-12 METHODS OF SAMPLING AND ANALYSIS				
Section 1200-3-12-.01	General	02/09/77	03/29/85	50 FR 12540.
Section 1200-3-12-.02	Procedures for Ambient Sampling and Analysis	01/18/80	06/24/82	47 FR 27270.
Section 1200-3-12-.03	Source Sampling and Analysis	08/01/84	03/29/85	50 FR 12539.
Section 1200-3-12-.04	Monitoring Required for Determining Compliance of Certain Large Sources.	12/13/82	07/27/84	49 FR 30177.
Chapter 1200-3-13 VIOLATIONS				
Section 1200-3-13-.01	Violation Statement	06/07/74	06/07/79	44 FR 32681.
Chapter 1200-3-14 CONTROL OF SULFUR DIOXIDE EMISSIONS				
Section 1200-3-14-.01	General Provisions	08/01/84	04/07/93	58 FR 18011.
Section 1200-3-14-.02	Non-Process Emission Standards	08/01/84	04/07/93	58 FR 18011.
Section 1200-3-14-.03	rocess Emission Standards	03/21/93	03/19/96	61 FR 11136.

EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	Adoption date	EPA approval date	Federal Register Notice
Chapter 1200–3–15 EMERGENCY EPISODE REQUIREMENTS				
Section 1200–3–15–.01	Purpose	02/09/77	03/29/85	50 FR 12540.
Section 1200–3–15–.02	Episode Criteria	06/26/93	09/15/94	59 FR 47256.
Section 1200–3–15–.03	Required Emissions Reductions	05/15/81	06/24/82	47 FR 27267.
Chapter 1200–3–18 VOLATILE ORGANIC COMPOUNDS				
Section 1200–3–18–.01	Definitions	06/03/96	08/27/96	61 FR 43972.
Section 1200–3–18–.02	General Provisions and Applicability	02/23/96	07/18/96	61 FR 37387.
Section 1200–3–18–.03	Compliance Certification, Recordkeeping, and Reporting Requirements for Coating and Printing Sources.	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.04	Compliance Certification, Recordkeeping, and Reporting Requirements for Non-Coating and Non-Printing Sources.	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.05	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.06	Handling, Storage, Use, and Disposal of Volatile Organic Compounds (VOC).	06/04/96	08/27/96	61 FR 43972.
Section 1200–3–18–.07	Source-Specific Compliance Schedules	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.08	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.09	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.10	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.11	Automobile and Light-Duty Truck Coating Operations	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.12	Can Coating	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.13	Coil Coating	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.14	Paper and Related Coating	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.15	Fabric Coating	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.16	Vinyl Coating	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.17	Coating of Metal Furniture	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.18	Coating of Large Appliances	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.19	Coating of Magnet Wire	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.20	Coating of Miscellaneous Metal Parts	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.21	Coating of Flat Wood Paneling	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.22	Bulk Gasoline Plants	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.23	Bulk Gasoline Terminals	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.24	Gasoline Dispensing Facility—Stage I and Stage II Vapor Recovery.	06/03/96	04/14/97	62 FR 18046.
Section 1200–3–18–.25	Leaks from Gasoline Tank Trucks	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.26	Petroleum Refinery Sources	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.27	Leaks from Petroleum Refinery Equipment	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.28	Petroleum Liquid Storage in External Floating Roof Tanks	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.29	Petroleum Liquid Storage in Fixed Roof Tanks	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.30	Leaks from Natural Gas/Gasoline Processing Equipment	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.31	Solvent Metal Cleaning	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.32	Cutback and Emulsified Asphalt	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.33	Manufacture of Synthesized Pharmaceutical Products	02/21/95	07/18/96	61 FR 37387.
Section 1200–3–18–.34	Pneumatic Rubber Tire Manufacturing	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.35	Graphic Arts Systems	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.36	Petroleum Solvent Dry Cleaners	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.37	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.38	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.39	Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins.	05/08/97	07/29/97	62 FR 40458.
Section 1200–3–18–.40	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.41	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.42	Wood Furniture Finishing and Cleaning Operations	04/25/96	07/18/96	61 FR 37387.
Section 1200–3–18–.43	Offset Lithographic Printing Operations	04/22/96	07/18/96	61 FR 37387.
Section 1200–3–18–.44	Surface Coating of Plastic Parts	06/03/96	08/27/96	61 FR 43972.
Section 1200–3–18–.45	Standards of Performance for Commercial Motor Vehicle and Mobile Equipment Refinishing Operations.	06/03/96	08/27/96	61 FR 43972.
Section 1200–3–18–.48	Volatile Organic Liquid Storage Tanks	06/03/96	08/27/96	61 FR 43972.
Sections 1200–3–18–.49–.77 ..	(Reserved)	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.78	Other Facilities That Emit Volatile Organic Compounds (VOC's) of Fifty Tons Per Year.	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.79	Other Facilities That Emit Volatile Organic Compounds (VOC's) of One Hundred Tons Per Year.	02/08/96	07/18/96	61 FR 37387.
Section 1200–3–18–.80	Test Methods and Compliance Procedures: General Provisions.	05/18/93	02/27/95	60 FR 10504.
Section 1200–3–18–.81	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	05/08/97	07/29/97	62 FR 40458.

EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	Adoption date	EPA approval date	Federal Register Notice
Section 1200-3-18-.82	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	05/18/93	02/27/95	60 FR 10504
Section 1200-3-18-.83	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	05/18/93	02/27/95	60 FR 10504
Section 1200-3-18-.84	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	05/18/93	02/27/95	60 FR 10504
Section 1200-3-18-.85	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOC's).	05/18/93	02/27/95	60 FR 10504
Section 1200-3-18-.86	Performance Specifications for Continuous Emission Monitoring of Total Hydrocarbons.	06/03/96	04/14/97	62 FR 18046
Section 1200-3-18-.87	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	05/18/93	02/27/95	60 FR 10504
Section 1200-3-18-.88-.99	(Reserved)	05/18/93	02/27/95	60 FR 10504

**Chapter 1200-3-19 EMISSION STANDARDS AND MONITORING REQUIREMENTS FOR PARTICULATE AND SULFUR DIOXIDE
NONATTAINMENT AREAS**

Section 1200-3-19-.01	Purpose	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.02	General Requirements	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.03	Particulate and Sulfur Dioxide Nonattainment Areas within Tennessee.	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.04	(Reserved)	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.05	Operating Permits and Emission Limiting Conditions	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.06	Logs for Operating Hours	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.07-.10	(Reserved)	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.11	Particulate Matter Emission Regulations for the Bristol Nonattainment Area.	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.12	Particulate Matter Emission Regulations for Air Contaminant Sources in or Significantly Impacting the Particulate Nonattainment Areas in Campbell County.	04/30/96	07/30/97	62 FR 40734
Section 1200-3-19-.13	Particulate Emission Regulations for the Bull Run Nonattainment Area and Odoms Bend Nonattainment Area.	04/30/96	07/30/97	62 FR 40734.
Section 1200-3-19-.14	Sulfur Dioxide Emission Regulations for the New Johnsonville Nonattainment Area.	04/30/96	07/30/97	62 FR 40734.
Section 1200-3-19-.15	Particulate Matter Monitoring Requirements for Steam Electric Generating Units in the Bull Run and Odoms Bend Nonattainment Areas.	04/30/96	07/30/97	62 FR 40734.
Section 1200-3-19-.16-.18	(Reserved)	04/30/96	07/30/97	62 FR 40734.
Section 1200-3-19-.19	Sulfur Dioxide Regulations for the Copper Basin Nonattainment Area.	04/30/96	07/30/97	62 FR 40734.

Chapter 1200-3-20 LIMITS ON EMISSIONS DUE TO MALFUNCTIONS, START-UPS, AND SHUTDOWNS

Section 1200-3-20-.01	Purpose	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.02	Reasonable Measures Required	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.03	Notice Required When Malfunction Occurs	12/09/81	06/24/82	47 FR 27272.
Section 1200-3-20-.04	Logs and Reports	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.05	Copies of Log Required	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.06	Scheduled Maintenance	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.07	Report Required Upon The Issuance of Notice of Violation	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.08	Special Reports Required	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.09	Rights Reserved	02/13/79	02/06/80	45 FR 8004.
Section 1200-3-20-.10	Additional Sources Covered	11/23/79	06/24/82	47 FR 27272.

Chapter 1200-3-21 GENERAL ALTERNATE EMISSION STANDARD

Section 1200-3-21-.01	General Alternate Emission Standard	01/22/82	06/24/82	47 FR 27272.
Section 1200-3-21-.02	Applicability	03/22/93	04/18/94	59 FR 18310.

Chapter 1200-3-22 LEAD EMISSION STANDARDS

Section 1200-3-22-.01	Definitions	03/18/85	08/12/85	50 FR 32412.
Section 1200-3-22-.02	General Lead Emission Standards	12/05/84	08/12/85	50 FR 32412.
Section 1200-3-22-.03	Specific Emission Standards for Existing Sources of Lead	12/05/84	08/12/85	50 FR 32412.
Section 1200-3-22-.04	Standards for New and Modified Sources of Lead	12/05/84	08/12/85	50 FR 32412.
Section 1200-3-22-.05	Source Sampling and Analysis	12/05/84	08/12/85	50 FR 32412.
Section 1200-3-22-.06	Lead Ambient Monitoring Requirements	12/05/84	08/12/85	50 FR 32412.

Chapter 1200-3-23 VISIBILITY PROTECTION

Section 1200-3-23-.01	Purpose	12/19/94	07/02/97	62 FR 35681.
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EPA APPROVED TENNESSEE REGULATIONS—Continued

State citation	Title/subject	Adoption date	EPA approval date	Federal Register Notice
Section 1200-3-23-.02	Definitions	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.03	General Visibility Protection Standards	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.04	Specific Emission Standards for Existing Stationary Facilities	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.05	Specific Emission Standards for Existing Sources	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.06	Visibility Standards for New and Modified Sources	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.07	Visibility Monitoring Requirements	12/19/94	07/02/97	62 FR 35681.
Section 1200-3-23-.08	Exemptions from BART Requirements	12/19/94	07/02/97	62 FR 35681.

Chapter 1200-3-24 GOOD ENGINEERING PRACTICE STACK HEIGHT REGULATIONS

Section 1200-3-24-.01	General Provisions	08/18/86	10/19/88	53 FR 40881.
Section 1200-3-24-.02	Definitions	08/18/86	10/19/88	53 FR 40881.
Section 1200-3-24-.03	Good Engineering Practice Stack Height Regulations Standards.	08/18/86	10/19/88	53 FR 40881.
Section 1200-3-24-.04	Specific Emission Standards	08/18/86	10/19/88	53 FR 40881.

Chapter 1200-3-27 NITROGEN OXIDES

Section 1200-3-27-.01	Definitions	06/14/93	07/29/96	61 FR 39326.
Section 1200-3-27-.02	General Provisions and Applicability	04/29/96	07/29/96	61 FR 39326.
Section 1200-3-27-.03	Standards and Requirements	04/29/96	07/29/96	61 FR 39326.

Chapter 1200-3-29 LIGHT-DUTY MOTOR VEHICLE INSPECTION AND MAINTENANCE

Section 1200-3-29-.01	Purpose	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.02	Definitions	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.03	Motor Vehicle Inspection Requirements	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.04	Exemption From Motor Vehicle Inspection Requirements	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.05	Motor Vehicle Emission Performance Test Criteria	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.06	Motor Vehicle Anti-Tampering Test Criteria	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.07	Motor Vehicle Emissions Performance Test Methods	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.08	Motor Vehicle Anti-Tampering Test Methods	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.09	Motor Vehicle Inspection Program	07/08/94	07/28/95	60 FR 38694.
Section 1200-3-29-.10	Motor Vehicle Inspection Fee	07/08/94	07/28/95	60 FR 38694.

(d) EPA-approved State Source-specific requirements.

EPA-APPROVED TENNESSEE SOURCE-SPECIFIC REQUIREMENTS

Name of Source	Permit No.	State effective date	EPA approval date	Explanation
Revised Permits for the Kingsport Particulate Nonattainment Area	n/a	05/10/82	12/07/82 47 FR 54936	various permits.
Union Carbide, Tennessee Eastman Company	n/a, 011397P	12/30/86	06/16/87 52 FR 22778	
Murray Ohio Manufacturing Company	n/a	12/30/86	12/10/87 52 FR 46764	
Tennessee Eastman Company	n/a	01/06/88	10/12/88 53 FR 39742.	5 sources.
Variance for Averaging Times for VOC Emission	n/a	01/06/88	06/23/88 53 FR 23624	
Avco Aerostructures	n/a	02/25/88	01/23/89 54 FR 3031	
Miscellaneous Metal Parts	n/a	05/16/89	06/28/89 54 FR 27164	14 sources.
Nissan Manufacturing Corporation	n/a	04/29/91	09/09/91 56 FR 45896	
Tenneco Energy	045022F, 045025F.	05/31/96	07/24/96 61 FR 38391	
Brunswick Marine Corporation	044881P, 045012P, 045013P.	05/31/96	07/21/97 62 FR 38909.	

(e) [Reserved]

[FR Doc. 99-16537 Filed 6-29-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[MI73-7281a; FRL-6366-5]

Approval and Promulgation of State Implementation Plans; Michigan

AGENCY: Environmental Protection Agency.

ACTION: Direct final rule

SUMMARY: The Environmental Protection Agency (EPA) is approving the State of Michigan's request to redesignate the Detroit area, which includes portions of Wayne, Oakland, and Macomb Counties, to attainment for carbon monoxide (CO). The EPA is also approving the corresponding 175A maintenance plan associated with the redesignation request as a revision to the Michigan State Implementation Plan (SIP) for attaining and maintaining the National Ambient Air Quality Standard (NAAQS) for CO.

DATES: This action is effective August 30, 1999, without further notice, unless EPA receives adverse comment by July 30, 1999. If we receive such comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Send written comments to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. (We recommend that you telephone John Mooney at (312) 886-6043 before visiting the Region 5 Office.)

A copy of the SIP revision is available for inspection at the Office of Air and Radiation (OAR) Docket and Information Center (Air Docket 6102), room M1500, United States Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460, (202) 260-7548.

FOR FURTHER INFORMATION CONTACT: John M. Mooney, Regulation Development Section (AR-18J), Air Programs Branch, Air and Radiation Division, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6043.

I. Supplementary Information

This Supplementary Information section is organized as follows:

- A. Redesignation
 - 1. Background
 - 2. Evaluation Criteria
 - 3. Review of State Submittal
 - a. Attainment of the CO NAAQS
 - b. Meeting Applicable Requirements of Section 110 and Part D
 - i. Section 110 Requirements
 - ii. Part D Requirements
 - I. Subpart 1 of Part D—Section 172(c) Provisions
 - II. Subpart 1 of Part D—Section 176 Conformity Provisions
 - III. Subpart 3 Requirements
 - c. Fully Approved SIP Under Section 110(k) of the Act
 - d. Improvement in Air Quality Due to Permanent and Enforceable Measures.
 - e. Fully Approved Maintenance Plan Under Section 175A
 - i. Emissions Inventory—Base Year Inventory
 - ii. Demonstration of Maintenance—Projected Inventories
 - iii. Verification of Continued Attainment
 - iv. Contingency Plan
 - v. Commitment to Submit Subsequent Maintenance Plan Revisions
- B. Final Action

A. Redesignation

Under the Clean Air Act (Act), EPA may redesignate areas to attainment if sufficient data are available to warrant such changes and the area meets the criteria contained in section 107(d)(3) of the Act. On March 18, 1999, the State of Michigan submitted a redesignation request and section 175A maintenance plan for the Detroit CO nonattainment area. Once approved, the section 175A maintenance plan becomes a federally enforceable part of the SIP for the Detroit area.

A detailed analysis of the Detroit Redesignation Request and section 175A Maintenance Plan SIP submittal for the Detroit area is contained in the EPA's Technical Support Document (TSD), dated May 26, 1999 from John Mooney to the Docket, entitled "Technical Review of Michigan's State Implementation Plan Revision for the Detroit Carbon Monoxide Nonattainment Area," which is available from the Region 5 office listed above.

1. Background

EPA designated the Detroit area as a CO nonattainment area under section 107 of the 1977 Act on March 3, 1978 (43 FR 8962). The Clean Air Act Amendments of 1990 (1990 Act) authorizes EPA to designate nonattainment areas according to degree of severity of the nonattainment problem. On November 6, 1991 (56 FR

56694), the EPA designated the Detroit area as a CO nonattainment area. At the time of the designation, air quality monitoring data recorded in the area did not show violations of the CO NAAQS, however, the State had not completed a redesignation request showing that it had complied with the requirements of section 107 of the Act. As a result, EPA designated the area as nonattainment, but did not establish a nonattainment classification. The preamble for the original designation contains more detail on this action (56 FR 56694).

Since the EPA's 1991 designation, monitors in the Detroit area have demonstrated attainment of the CO NAAQS, except for a single violation of the CO standard at one monitor in the area during 1994. From 1994 to the present, monitors in the area have continued to show attainment. As a result, the area is eligible for redesignation from nonattainment to attainment consistent with the 1990 Act. On March 18, 1999, the State of Michigan submitted a SIP revision to the EPA containing the redesignation request and maintenance plan to ensure continued attainment of the CO standard for the Detroit area. The State also included materials from the public hearing on the request which it held in Detroit on February 10, 1999.

2. Evaluation Criteria

The Amended Act revised section 107(d)(3)(E) to provide five specific requirements that an area must meet to be redesignated from nonattainment to attainment. These requirements are:

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

3. Review of State Submittal

The EPA has reviewed the Michigan redesignation request for the Detroit area and finds that the area meets the five requirements of section 107(d)(3)(E). EPA's Redesignation/Maintenance Plan technical support document (TSD) contains a more in-depth analysis of the submittal with respect to certain of these evaluation criteria.

a. Attainment of the CO NAAQS

The Michigan request is based on an analysis of quality-assured CO air