

Environmental Protection Agency

§ 52.123

§ 52.122 [Reserved]

§ 52.123 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Arizona's plan for the attainment of the national standards.

(b) With the exception set forth in §§ 52.130 and 52.135, the Administrator approves the inspection and maintenance (I/M) program for motor vehicles; the carpool matching program; certain transit improvements; and certain traffic flow improvement and site-specific traffic control measures.

(c) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

(1) For TSP, the portion of the Tucson TSP Air Planning Area falling both within the area described by connecting the geographic points in the order listed below in this paragraph and within the townships and sections described below in this paragraph:

Latitude 32°38.5' N, Longitude 111°24.0' W
Latitude 32°26.5' N, Longitude 110°47.5' W
Latitude 32°12.5' N, Longitude 110°32.5' W
Latitude 31°49.5' N, Longitude 110°25.5' W
Latitude 31°42.0' N, Longitude 110°50.5' W
Latitude 31°52.5' N, Longitude 111°12.5' W
Latitude 31°24.5' N, Longitude 111°29.0' W
(and return to initial point)

T9S, R9-11E
T10S, R9-13E
T13S, R13E: sections 5, 8-10, 13-17, 20-28, 33-36, 6 (NE and SE quarters only) and 7 (NE and SE quarters only)
T13S, R14E: sections 19-21, 26-35
T14S, R13E: sections 1-3, 10-14, 23-25
T14S, R14E: sections 3-9, 17-19, 30
T17S, R19E
T18S, R19E
T20S, R14-15E

(d) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal by January 1, 1981, of reasonably available control technology (RACT) requirements for sources covered by

Control Technique Guidelines (CTG's) published between January 1978 and January 1979.

(1) Maricopa County Urban Planning Area for O₃.

(e) The Administrator finds that the plan does not satisfy all the requirements of Part D, Title I, of the Clean Air Act as amended in 1977 for the nonattainment and area pollutants listed in this paragraph.

(1) Maricopa County Urban Planning Area for CO and TSP.

(2) Tucson CO Air Planning Area for CO.

(3) The following portion of the Tucson TSP Air Planning Area: The area described by connecting the following geographic points in the order listed below:

Latitude 32°38.5' N, Longitude 111°24.0' W
Latitude 32°26.5' N, Longitude 110°47.5' W
Latitude 32°12.5' N, Longitude 110°32.5' W
Latitude 31°49.5' N, Longitude 110°25.5' W
Latitude 31°42.0' N, Longitude 110°50.5' W
Latitude 31°52.5' N, Longitude 111°12.5' W
Latitude 31°24.5' N, Longitude 111°29.0' W
(and return to initial point)

Excluding the area within the following townships:

T9S, R9-11E
T10S, R9-13E
T13S, R13E: sections 5, 8-10, 13-17, 20-28, 33-36, 6 (NE and SE quarters only) and 7 (NE and SE quarters only)
T13S, R14E: sections 19-21, 26-35
T14S, R13E: sections 1-3, 10-14, 23-25
T14S, R14E: sections 3-9, 17-19, 30
T17S, R19E
T18S, R19E
T20S, R14-15E

(f) Maricopa County PM-10 Nonattainment Area (Phoenix Planning Area). (1) *Plan for Attainment of the 24-hour PM-10 Standard—Maricopa County PM-10 Nonattainment Area* (May, 1997) submitted by the Arizona Department of Environmental Quality on May 7, 1997.

(i) The Administrator approves the provisions for implementing RACM and BACM for the significant source categories of disturbed cleared areas, earth moving, and industrial haul roads.

(ii) The Administrator approves the attainment and reasonable further progress demonstrations for the Maryvale PM-10 monitoring site and Salt River PM-10 monitoring site.

(iii) The approvals in paragraphs (f)(1) (i) and (ii) of this section are applicable only to the plan identified in paragraph (f)(1) of this section and do not constitute the Administrator's final decision as to the State's full compliance with the requirements of Clean Air Act sections 189(a)(1)(C) and 189(b)(1)(B) for RACM and BACM and sections 189(a)(1)(B), 189(b)(1)(A) and 189(c)(1) for attainment and reasonable further progress.

(g) Pursuant to the Federal planning authority in section 110(c) of the Clean Air Act, the Administrator finds that the applicable implementation plan for the Maricopa County ozone nonattainment area demonstrates the 15 percent VOC rate of progress required under section 182(b)(1)(A)(i).

(h) Pursuant to the federal planning authority in section 110(c) of the Clean Air Act, the Administrator finds that the applicable implementation plan for the Maricopa County PM-10 nonattainment area provides for the implementation of reasonably available control measures as required by section 189(a)(1)(C) and demonstrates attainment by the applicable attainment date as required and allowed by sections 172(c)(2) and 189(a)(1)(B).

(i) The Administrator approves the Maintenance Plan for the Tucson Air Planning Area submitted by the Arizona Department of Environmental Quality on October 6, 1997 as meeting requirements if section 175(A) of the Clean Air Act and the requirements of EPA's Limited Maintenance Plan option. The Administrator approves the Emissions Inventory contained in the Maintenance Plan as meeting the requirements of section 172(c)(3) of the Clean Air Act.

[38 FR 33373, Dec. 3, 1973, as amended at 48 FR 254, Jan. 4, 1983; 51 FR 3336, Jan. 27, 1986; 51 FR 33750, Sept. 23, 1986; 62 FR 41864, Aug. 4, 1997; 63 FR 28904, May 27, 1998; 63 FR 41350, Aug. 3, 1998; 65 FR 36358, June 8, 2000]

EFFECTIVE DATE NOTE: At 65 FR 36358, June 8, 2000, § 52.123 was amended by removing and reserving paragraph (e)(2) and adding paragraph (i), effective July 10, 2000.

§ 52.124 Part D disapproval.

(a) The following portions of the Arizona SIP are disapproved because they

do not meet the requirements of Part D of the Clean Air Act.

(1) The attainment demonstration, conformity and contingency portions of the 1987 Maricopa Association of Governments Carbon Monoxide Plan and 1988 Addendum.

(2) The attainment demonstration and contingency portions of the 1987 Carbon Monoxide State Implementation Plan Revision for the Tucson Air Planning Area.

(b) Maricopa County PM-10 Nonattainment Area (Phoenix Planning Area). (1) *Plan for Attainment of the 24-hour PM-10 Standard—Maricopa County PM-10 Nonattainment Area* (May, 1997) submitted by the Arizona Department of Environmental Quality on May 7, 1997.

(i) The Administrator disapproves the provisions for implementing RACM and BACM for the significant source categories of agricultural fields, agricultural aprons, vacant lands, unpaved parking lots, and unpaved roads.

(ii) The Administrator disapproves the attainment and reasonable further progress demonstrations for the Gilbert PM-10 monitoring site and West Chandler PM-10 monitoring site.

(iii) The disapprovals in paragraphs (f)(1) (i) and (ii) of this section are applicable only to the plan identified in paragraph (f)(1) of this section and do not constitute the Administrator's final decision as to the State's full compliance with the requirements of Clean Air Act sections 189(a)(1)(C) and 189(b)(1)(B) for RACM and BACM and sections 189(a)(1)(B), 189(b)(1)(A) and 189(c)(1) for attainment and reasonable further progress. Therefore such disapprovals do not constitute state failures for the purpose of triggering sanctions under § 179(a) of the Clean Air Act.

(c) The Administrator disapproves the attainment demonstration for the annual PM-10 national ambient air quality standard and the provisions for implementation of reasonably available control measures for the annual PM-10 national ambient air quality standard in the *MAG 1991 Particulate Plan for PM-10 for the Maricopa County Area and 1993 Revisions* (July 1993) submitted by the Arizona Department of Environmental Quality on August 11,