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

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 March 22, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

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: December 10, 1998.

Laura Yoshii,

Acting Regional Administrator, Region IX.

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

PART 52—[AMENDED]

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

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

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(232)(i)(A)(*2*) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(232) * * *

(i) * * *

(A) * * *

(*2*) Previously approved on November 8, 1996 now deleted without replacement for implementation in the Antelope Valley Air Pollution Control District, Regulation XX.

* * * * *

[FR Doc. 99–1261 Filed 1–20–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[UT–001–0002a; FRL–6201–8]

Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Salt Lake City Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On November 24, 1995, the Governor of Utah submitted a request to redesignate the Salt Lake City (SLC) ''not classified'' carbon monoxide (CO) nonattainment area to attainment for the CO National Ambient Air Quality Standard (NAAQS). The Governor also submitted a CO maintenance plan and revisions to Utah Administrative Code Rule (UACR) R307–1–3.3 to ensure that rules applicable to the SLC CO nonattainment area remain in effect after SLC is redesignated to attainment. On December 9, 1996, the Governor submitted a revised SLC CO maintenance plan that incorporated revised contingency measures, updated air quality monitoring data, and other minor revisions to the maintenance plan. In this action, EPA is approving the SLC redesignation request, the revised maintenance plan, and the changes to UACR R307–1–3.3.

DATES: This direct final rule is effective on March 22, 1999 without further notice, unless EPA receives adverse comments by February 22, 1999. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments may be mailed to: Richard R. Long, Director, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection during normal business hours at the following offices:

United States Environmental Protection Agency, Region VIII, Air and Radiation Program, 999 18th Street, Suite 500, Denver, Colorado 80202–2466; and,

United States Environmental Protection Agency, Air and Radiation Docket and Information Center, 401 M Street, SW, Washington, DC 20460.

Copies of the State documents relevant to this action are available for public inspection at: Utah Division of Air Quality, Department of Environmental Quality, 150 North 1950 West, Salt Lake City Utah, 84114–4820.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air and Radiation Program, Mailcode 8P–AR, United States Environmental Protection Agency, Region VIII, 999 18th Street, Suite 500, Denver, Colorado 80202–2466, Telephone number: (303) 312–6479.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted (Pub. L. 101–549, 104 Stat. 2399, codified at 42 U.S.C. 7401–7671q). Under section 107(d)(1)(C) of the Clean Air Act (CAA), EPA designated the SLC area as nonattainment for CO because the area had been previously designated as nonattainment before November 15, 1990. The SLC area was classified as a ''not classified'' CO nonattainment area as the area had not violated the CO NAAQS in 1988 and 1989.[1]

Under the CAA, designations can be changed if sufficient data are available to warrant such changes and if certain other requirements are met. See CAA section 107(d)(3)(D). Section 107(d)(3)(E) of the CAA provides that the Administrator may not promulgate a redesignation of a nonattainment area to attainment unless:

(i) The Administrator determines that the area has attained the national ambient air quality standard;

(ii) The Administrator has fully approved the applicable implementation plan for the area under CAA section 110(k);

(iii) The Administrator determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollutant control regulations and other permanent and enforceable reductions;

(iv) The Administrator has fully approved a maintenance plan for the area as meeting the requirements of CAA section 175A; and,

(v) The State containing such area has met all requirements applicable to the area under section 110 and part D of the CAA.

Thus, before EPA can approve the redesignation request, EPA must find, among other things, that all applicable SIP elements have been fully approved. Approval of the applicable SIP elements may occur prior to final approval of the redesignation request or simultaneously with final approval of the redesignation request. EPA notes there are no outstanding SIP elements necessary for the redesignation. However, the Governor has requested approval of revisions to R307–1–3.3 to ensure that new source review rules applicable to the SLC nonattainment area remain in effect after SLC is redesignated to attainment. Therefore, EPA is approving the revisions to R307–1–3.3 at the same time it approves the redesignation.

EPA has reviewed the State's redesignation request, maintenance plan, and related SIP revisions and believes that approval of the request is warranted, consistent with the requirements of CAA section 107(d)(3)(E). Descriptions of how the section 107(d)(3)(E) requirements are being addressed are provided below.

Section 1. Brief Administrative History of the SLC CO Redesignation Request, Maintenance Plan, and Related SIP Submittal

On November 24, 1995, the Governor of Utah submitted a CO redesignation request and maintenance plan for the SLC area along with revisions to the Utah Administrative Code Rule (UACR) R307–1–3.3 to ensure that new source review rules applicable to the SLC nonattainment area remain in effect after SLC is redesignated to attainment. On December 9, 1996, the Governor submitted a revised maintenance plan. The purpose of the December 9, 1996, submittal was to provide revised contingency measures, updated air quality monitoring data, and other minor revisions to the maintenance plan.

Section 2. Redesignation Criterion: The Area Must Have Attained the Carbon Monoxide (CO) NAAQS

Section 107(d)(3)(E)(i) of the CAA states that for an area to be redesignated to attainment, the Administrator must determine that the area has attained the applicable NAAQS. As described in 40 CFR 50.8, the national primary ambient air quality standard for carbon monoxide is 9 parts per million (10 milligrams per cubic meter) for an 8-hour average concentration not to be exceeded more than once per year. 40 CFR 50.8 continues by stating that the levels of CO in the ambient air shall be measured by a reference method based on 40 CFR part 50, Appendix C and designated in accordance with 40 CFR part 53 or an equivalent method designated in accordance with 40 CFR part 53. Attainment of the CO standard is not a momentary phenomenon based on short-term data. Rather, for an area to be considered attainment, each of the CO ambient air quality monitors in the area are allowed to record no more than one exceedance of the CO standard over a one-year period. 40 CFR 50.8 and 40 CFR part 50, Appendix C. If a single monitor in the CO monitoring network records more than one exceedance of the CO standard during a one-year calendar period, then the area is in violation of the CO NAAQS. In addition, EPA's interpretation of the CAA and EPA national policy[2] has been that an area seeking redesignation to attainment must show attainment of the CO NAAQS for a continuous two-year calendar period and, additionally, at least through the date that EPA promulgates the redesignation to attainment in the **Federal Register**.

Utah's CO redesignation request for the SLC area is based on an analysis of quality assured ambient air quality monitoring data that are relevant to the redesignation request. Ambient air quality monitoring data for consecutive calendar years 1992 through 1997 show a measured exceedance rate of 1.0 or less per year, per monitor, of the CO NAAQS in the SLC nonattainment area. These data were collected and analyzed as required by EPA (see 40 CFR 50.8 and 40 CFR part 50, Appendix C) and have been archived by the State in EPA's Aerometric Information and Retrieval System (AIRS) national database. Further information on CO monitoring is presented in section IX.C.7.c of the State's maintenance plan and in the State's TSD. Since 1988, only one exceedance of the 9.0 ppm CO standard has been measured and this occurred in 1994. EPA notes, however, that the SLC area has not violated the CO standard and continues to demonstrate attainment.

[1] The EPA describes areas as ''not classified'' if they were designated nonattainment both prior to enactment and (pursuant to CAA section 107(d)(1)(C)) at enactment, and if the area did not violate the primary CO NAAQS in either year for the 2-year period of 1988 through 1989. Refer to the ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990'', 57 FR 13498, April 16, 1992. See specifically 57 FR 13535, April 16, 1992.

[2] Refer to EPA's September 4, 1992, John Calcagni policy memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment.''

Because the SLC nonattainment area has quality-assured data showing no violations of the CO NAAQS for 1993 and 1994, the years the State used to support the redesignation request, and additionally, over the most recent consecutive two-calendar-year period, the SLC area has met the first component for redesignation: demonstration of attainment of the CO NAAQS. EPA notes that the State of Utah has also committed in the maintenance plan to the necessary continued operation of the CO monitoring network in compliance with all applicable federal regulations and guidelines.

Section 3. Redesignation Criterion: The Area Must Have Met All Applicable Requirements Under Section 110 and Part D of the CAA

Section 107(d)(3)(E)(v) requires that, to be redesignated to attainment, an area must meet all applicable requirements under section 110 and part D of the CAA. EPA interprets section 107(d)(3)(E)(v) to mean that for a redesignation to be approved, the State must meet all requirements that applied to the subject area prior to or at the time of the submission of a complete redesignation request. Requirements of the CAA due after the submission of a complete redesignation request need not be considered in evaluating the request.

A. CAA Section 110 Requirements

On August 15, 1984, EPA approved revisions to Utah's SIP (45 FR 32575) as meeting the requirements of section 110(a)(2) of the CAA. Although section 110 of the CAA was amended in 1990, most of the changes were not substantial. The only additional CAA requirement assigned to the SLC area was the preparation and submittal of a 1990 base year CO emission inventory. The Governor submitted this base year inventory on July 11, 1994. EPA approved this inventory on June 29, 1995 (60 FR 33745). Thus, EPA has determined that the SIP revisions approved in 1984 continue to satisfy the requirements of section 110(a)(2). For further detail, please see 45 FR 32575.

B. Part D Requirements

Before the SLC not classified CO nonattainment area may be redesignated to attainment, the State must have fulfilled the applicable requirements of part D. Under part D, an area's classification indicates the requirements to which it will be subject. Subpart 1 of part D sets forth the basic nonattainment requirements applicable to all nonattainment areas, whether classified or nonclassifiable.

The relevant Subpart 1 requirements are contained in sections 172(c) and 176. The General Preamble (57 FR 13498, April 16, 1992) provides EPA's interpretations of the CAA requirements for not classified CO areas (see 57 FR 13535):

> ''Although it seems clear that the CO-specific requirements of subpart 3 of part D do not apply to CO ''not classified'' areas, the 1990 CAAA are silent as to how the requirements of subpart 1 of part D, which contains general SIP planning requirements for all designated nonattainment areas, should be interpreted for such CO areas. Nevertheless, because these areas are designated nonattainment, some aspects of subpart 1 necessarily apply.''

Under section 172(b), the applicable section 172(c) requirements, as determined by the Administrator, were due no later than three years after an area was designated as nonattainment under section 107(d) of the amended CAA (see 56 FR 56694). In the case of the SLC area, the due date was November 15, 1993. As the SLC CO redesignation request and maintenance plan were not submitted by the Governor until November 24, 1995, the General Preamble (57 FR 13535) provides that the applicable requirements of CAA section 172 are 172(c)(3) (emissions inventory), 172(c)(5) (new source review permitting program), and 172(c)(7) (the section 110(a)(2) air quality monitoring requirements)). EPA has determined that Part D requirements for Reasonably Available Control Measures (RACM), an attainment demonstration, reasonable further progress (RFP), and contingency measures (CAA section 172(c)(9)) are not applicable to not classified CO areas. See 57 FR 13535, April 16, 1992. It is also worth noting that EPA has interpreted the requirements of sections 172(c)(1) (reasonable available control measures—RACM), 172(c)(2) (reasonable further progress—RFP), 172(c)(6) (other measures), and 172(c)(9) (contingency measures) as being irrelevant to a redesignation request because they only have meaning for an area that is not attaining the standard. See EPA's September 4, 1992, John Calcagni memorandum entitled, ''Procedures for Processing Requests to Redesignate Areas to Attainment'', and the General Preamble, 57 FR at 13564, dated April 16, 1992. Finally, the State has not sought to exercise the options that would trigger sections 172(c)(4) (identification of certain emissions increases) and 172(c)(8) (equivalent techniques). Thus, these provisions are also not relevant to this redesignation request.

Section 176 of the CAA contains requirements related to conformity. Although EPA's regulations (see 40 CFR § 51.396) require that states adopt transportation conformity provisions in their SIPs for areas designated nonattainment or subject to an EPA-approved maintenance plan, EPA has decided that a transportation conformity SIP is not an applicable requirement for purposes of evaluating a redesignation request under section 107(d) of the CAA. This decision is reflected in EPA's 1996 approval of the Boston carbon monoxide redesignation. (See 61 FR 2918, January 30, 1996.)

In that action, EPA explained that its decision was based on a combination of two factors. First, the requirement to submit SIP revisions to comply with the conformity provisions of the CAA continues to apply to areas after redesignation to attainment. Therefore, the State remains obligated to adopt the transportation conformity rules even after redesignation and would risk sanctions for failure to do so. Unlike most requirements of section 110 and part D, which are linked to the nonattainment status of an area, and are not required after redesignation of an area to attainment, 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. Further information regarding transportation conformity and mobile source emission budgets are found below in section II ''Transportation Conformity''.

The applicable requirements of CAA section 172 are discussed below.

(1.) Section 172(c)(3)—Emissions Inventory. Section 172(c)(3) of the CAA requires a comprehensive, accurate, current inventory of all actual emissions from all sources in the SLC nonattainment area. EPA's interpretation of the emission inventory requirement for ''not classified'' CO nonattainment areas is detailed in the General Preamble (57 FR 13535, April 16, 1992). EPA determined that an emissions inventory is specifically

required under CAA section 172(c)(3) and is not tied to an area's proximity to attainment. EPA concluded that an emissions inventory must be included as a revision to the SIP and was due 3 years from the time of the area's designation. For ''not classified'' CO areas, this date became November 15, 1993. To address the section 172(c)(3) requirement for a ''current'' inventory, EPA interpreted ''current'' to mean calendar year 1990 (See 57 FR 13502, April 16, 1992).

On July 11, 1994, the Governor submitted the 1990 base year inventory for the SLC CO nonattainment area. EPA approved this 1990 base year CO inventory on June 29, 1995 (60 FR 33745).

(2.) Section 172(c)(5) New Source Review (NSR). The CAA requires all nonattainment areas to meet several requirements regarding NSR, including provisions to ensure that increased emissions will not result from any new or modified stationary major sources and a general offset rule. The State of Utah has a fully-approved NSR program (60 FR 22277, May 5, 1995) that meets the requirements of CAA section 172(c)(5).

(3.) Section 172(c)(7)—Compliance With CAA section 110(a)(2): Air Quality Monitoring Requirements. According to EPA's interpretations presented in the General Preamble (57 FR 13535), ''not classified'' CO nonattainment areas should meet the ''applicable'' air quality monitoring requirements of section 110(a)(2) of the CAA as explicitly referenced by sections 172 (b) and (c) of the CAA. With respect to this requirement, the State indicates in section IX, Part C.7.c. (''Carbon Monoxide Monitoring'') of the maintenance plan, that ambient CO monitoring data have been properly collected and uploaded to EPA's Aerometric Information and Retrieval System (AIRS) since 1986 for the SLC area. Air quality data through 1994 are included in section IX, Part C.7.c. of the maintenance plan and Volume 1 of the State's TSD. EPA has more recently polled the AIRS database and has verified that the State has also uploaded additional ambient CO data through 1997. The data in AIRS indicate that the SLC area has shown, and continues to show, attainment of the CO NAAQS. The State also notes (section IX, Part C.7.c.(1)) that information concerning CO monitoring in Utah is included in the Monitoring Network Review (MNR) prepared by the State and submitted to EPA. Since the early 1980's, the MNR has been updated annually and submitted to EPA for approval. EPA personnel have concurred with Utah's annual network reviews and have agreed that the SLC network remains adequate. Finally, in section IX, Part C.7.c.(5) of the maintenance plan, the State commits to the continued operation of the existing CO monitors, according to all applicable Federal regulations and guidelines, even after the SLC area is redesignated to attainment for CO. The State also notes that it will reevaluate monitoring site locations annually to determine whether new monitoring sites are needed or if the existing monitors should be relocated or removed.

Section 4. Redesignation Criterion: The Area Must Have A Fully Approved SIP Under Section 110(k) Of The CAA. Section 107(d)(3)(E)(ii) of the CAA states that for an area to be redesignated to attainment, it must be determined that the Administrator has fully approved the applicable implementation plan for the area under section 110(k).

Based on the approval into the SIP of provisions under the pre-1990 CAA and EPA's prior approval of SIP revisions required under the 1990 amendments to the CAA, EPA has determined that Utah has a fully approved CO SIP under section 110(k) for the SLC CO nonattainment area.

Section 5. Redesignation Criterion: The Area Must Show That The Improvement In Air Quality Is Due To Permanent And Enforceable Emissions Reductions. Section 107(d)(3)(E)(iii) of the CAA provides that for an area to be redesignated to attainment, the Administrator must determine that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan (SLC CO revision as approved on August 15, 1984, 49 FR 32575), implementation of applicable Federal air pollutant control regulations, and other permanent and enforceable reductions.

The CO emissions reductions that were derived from the August 15, 1984, SIP revision, and as further described in section IX.C.7.b of the December 9, 1996, SLC maintenance plan, were achieved primarily through a Federal emission control measure and CAA-required improvements to the basic vehicle inspection and maintenance (I/M) program. The Federal measure involved CO emission reductions from fleet turnover, which is regulated by the Federal Motor Vehicle Control Program (FMVCP).

In general, the FMVCP provisions require vehicle manufacturers to meet more stringent vehicle emission limitations for new vehicles in future years. These emission limitations are phased in (as a percentage of new vehicles manufactured) over a period of years. As new, lower emitting vehicles replace older, higher emitting vehicles (''fleet turnover''), emission reductions are realized for a particular area such as SLC. For example, EPA promulgated lower hydrocarbon (HC) and CO exhaust emission standards in 1991, known as Tier I standards for new motor vehicles (light-duty vehicles and light-duty trucks) in response to the 1990 CAA amendments. These Tier I emissions standards were phased in with 40% of the 1994 model year fleet, 80% of the 1995 model year fleet, and 100% of the 1996 model year fleet.

As stated in section IX.C.7.b.(4) of the maintenance plan, additional emission reductions from Salt Lake County's basic I/M program resulted from a major revision that was fully implemented prior to September 1, 1991. This revision was made in response to a 1990 State legislative mandate that Utah Counties administering the basic I/M program use computerized analyzers, standardize their programs, and provide reciprocity. These improvements involved the use of BAR90 technology emissions analyzers, the inclusion of vehicles owned by federal agencies, federal employees, university and college employees and students, an increased fail rate, the exclusive issuance of waivers by I/M technical center staff, an increase in the dollar amount spent on emission-related repairs to qualify for a waiver, automated data management and audit functions, and coverage of more emission control devices by the Salt Lake County anti-tampering program. Also, as a result of separate State legislation, the number of vehicles qualifying for exemption from the I/M program because of the ''farm truck'' classification was reduced.

EPA has evaluated the various State and Federal control measures, the 1990 base year emission inventory, the 1993 attainment year emission inventory, and the projected emissions described below, and has concluded that the improvement in air quality in the SLC nonattainment area has resulted from emission reductions that are permanent and enforceable.

Section 6. Redesignation Criterion: The Area Must Have A Fully Approved Maintenance Plan Under CAA Section 175A. Section 107(d)(3)(E)(iv) of the CAA provides that for an area to be redesignated to attainment, the Administrator must have fully approved a maintenance plan for the area meeting the requirements of section 175A of the CAA.

Section 175A of the CAA sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The maintenance 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 promulgation of the redesignation, the State must submit a revised maintenance plan that demonstrates continued attainment for the subsequent ten-year period following the initial ten-year maintenance period. To address the possibility of future NAAQS violations, the maintenance plan must contain contingency measures, with a schedule for adoption and implementation, that are adequate to assure prompt correction of a violation. In addition, EPA issued further maintenance plan interpretations in the ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990'' (57 FR 13498, April 16, 1992), ''General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990; Supplemental'' (57 FR 18070, April 28, 1992), and the EPA guidance memorandum entitled ''Procedures for Processing Requests to Redesignate Areas to Attainment'' from John Calcagni, Director, Air Quality Management Division, Office of Air Quality and Planning Standards, to Regional Air Division Directors, dated September 4, 1992. In this **Federal Register** action, EPA is approving the State of Utah's maintenance plan for the SLC nonattainment area because EPA has determined, as detailed below, that the State's maintenance plan submittal meets the requirements of section 175A and is consistent with the documents referenced above. EPA's analysis of the pertinent maintenance plan requirements, with reference to the Governor's December 9, 1996, submittal, is provided as follows:

A. Emissions Inventories—Attainment Year and Projections

EPA's interpretations of the CAA section 175A maintenance plan requirements are generally provided in the General Preamble and the September 4, 1992, policy memorandum referenced above. Under EPA's interpretations, areas seeking to redesignate to attainment for CO may demonstrate future maintenance of the NAAQS either by showing that future CO emissions will be equal to or less than the attainment year emissions or by providing a modeling demonstration. For the SLC area, the State selected the emissions inventory approach for demonstrating maintenance of the CO NAAQS.

The maintenance plan that the Governor submitted on December 9, 1996, included comprehensive inventories of CO emissions for the SLC area. These inventories include emissions from stationary point sources, area sources, non-road mobile sources, and on-road mobile sources. The State selected 1993 as the year from which to develop the attainment year inventory and included year-by-year projections out to 2006. More detailed descriptions of the 1993 attainment year inventory and the projected inventories are documented in the maintenance plan, sections IX.C.7.e and IX.C.7.f, and in the State's TSD. The State's submittal contains detailed emission inventory information that was prepared in accordance with EPA guidance. Summary emission figures from the 1993 attainment year and a sampling of the projected years are provided in the Table I.–1 below.

TABLE I.–1—SUMMARY OF CO EMISSIONS IN TONS PER DAY FOR SLC

	1993	1997	2000	2003	2006
Point Sources	0.55	1.57	1.63	1.71	1.79
Area Sources	14.65	14.93	15.12	15.32	15.53
Non-Road Mobile Sources	8.29	9.37	10.10	10.91	11.79
On-Road Mobile Sources	202.24	169.56	154.66	145.64	145.37
Total	225.73	195.43	181.51	173.58	174.48

B. Demonstration of Maintenance—Projected Inventories

As noted above, total CO emissions were projected by the State year-by-year from 1994 through 2006. These projected inventories were prepared in accordance with EPA guidance (further information is provided in section IX.C.7.f of the maintenance plan). EPA notes, however, that CAA section 175A(a) requires that the maintenance demonstration ''* * * provide for the maintenance of the national primary ambient air quality standard for such air pollutant in the area concerned for at least 10 years after the redesignation.'' Therefore, based on this CAA provision, the maintenance demonstration needed to project emissions to at least 2008, not just 2006. To address this issue, EPA consulted with the State to identify the specific materials that were provided at the SLC CO redesignation public hearing and which were subsequently adopted by the Utah Air Quality Board (UAQB). In a letter dated February 19, 1998, from Ursula Trueman, Director, Utah Division of Air Quality, to Richard Long, Director, Air Program, EPA Region VIII, the State provided an excerpt from the SLC CO redesignation Technical Support Document (TSD) that provided additional projected CO daily emissions for all years from 1993 through 2016. As indicated in the State's February 19, 1998, letter, these additional projected CO emissions were part of the TSD that was provided with the public hearing for the SLC CO redesignation and that was also adopted, along with the redesignation request and maintenance plan, by the UAQB. The projected inventories show that CO emissions are not estimated to exceed the 1993 attainment level during the time period 1993 through 2008 and, therefore, the SLC area has satisfactorily demonstrated maintenance. EPA has also extracted daily projected CO emissions for 2009 in the event that publication of this action in the **Federal Register** is delayed until early 1999. The additional projected CO daily emissions for 2007, 2008, and 2009 are provided in the Table I.–2 below:

TABLE I.–2—SUMMARY OF 1993 AND PROJECTED CO EMISSIONS IN TONS PER DAY FOR SLC

	1993	2007	2008	2009
Point Sources	0.55	1.81	1.84	1.87

TABLE I.–2—SUMMARY OF 1993 AND PROJECTED CO EMISSIONS IN TONS PER DAY FOR SLC—Continued

	1993	2007	2008	2009
Area Sources	14.65	15.60	15.67	15.74
Non-Road Mobile Sources	8.29	12.10	12.43	12.76
On-Road Mobile Sources	202.24	147.24	150.05	152.35
Total	225.73	176.75	179.99	182.72

C. Monitoring Network and Verification of Continued Attainment

Continued attainment of the CO NAAQS in the SLC area depends, in part, on the State's efforts to track indicators throughout the maintenance period. This requirement is met in two sections of the SLC maintenance plan. In section IX.C.7.c.(5) and section IX.C.7.i.(3), the State commits to continue the operation of the CO monitors in the SLC area and to annually review this monitoring network and make changes as appropriate. Also, in section IX.C.7.i.(1), the State commits to prepare a comprehensive emission inventory of CO emissions every three years after the maintenance plan is approved by EPA. These inventories will be based on the most current Vehicle Miles Traveled (VMT) data, actual point source emissions, and area source emissions based on the most current population and industry growth information. The above commitments by the State, which will be enforceable by EPA following the final approval of the SLC maintenance plan SIP revision, are deemed adequate by EPA.

D. Contingency Plan

Section 175A(d) of the CAA requires that a maintenance plan include contingency provisions. To meet this requirement, the State has identified appropriate contingency measures along with a schedule for the development and implementation of such measures. As stated in Section IX.C.7.h of the maintenance plan, the contingency measures for the SLC area will be triggered by any of the following situations: (a) a future year verification emission inventory (see section IX.C.7.i.(1)) of *actual* emissions indicates a level greater than the 1993 attainment emissions (225.73 tons of CO/peak season day), (b) a second non-overlapping 8-hour average ambient CO measurement exceeds 9 ppm at a single monitoring site during a calendar year (i.e., a violation of the 8-hour CO standard), or (c) a second one-hour average ambient CO measurement exceeds 35 ppm at a single monitoring site during a calendar year (i.e., a violation of the 1-hour CO standard). The primary contingency measure is Alternative Commuting Options (ACO) and the secondary is an enhanced motor vehicle inspection and maintenance program (EI/M) or an equivalent I/M program. A more complete description of the triggering mechanisms and these contingency measures can be found in section IX.C.7.h of the maintenance plan.

EPA notes that both contingency measures have been partially implemented as of the beginning of 1998. The ACO contingency measure (UACR R307–11) was previously adopted by the State and was implemented in 1995 for Federal, State, and local government agencies with 100 or more employees at a worksite. The State has identified in the maintenance plan that R307–11 could be expanded to include *all* employers with 100 or more employees at a worksite. As a result of the Salt Lake and Davis Counties' ozone maintenance plan, Salt Lake County began implementing an improved I/M program for all of Salt Lake County in early 1998. This improved I/M program is not the equivalent of an enhanced I/M program, but it achieves greater reductions of CO emissions than the basic I/M program identified in the SLC CO maintenance plan. EPA notes that the additional CO emission reductions realized from the partial pre-implementation of the ACO regulation and the implementation of the improved I/M program were not included in the December 9, 1996, maintenance plan's projected emissions to demonstrate maintenance of the CO standard. The partial pre-implementation of contingency measures is consistent with EPA's August 13, 1993, guidance memorandum entitled ''Early Implementation of Contingency Measures for Ozone and Carbon Monoxide (CO) Nonattainment Areas.''

Based on the above, EPA finds that the contingency measures provided in the State's maintenance plan are sufficient and meet the requirements of section 175A(d) of the CAA.

E. Subsequent Maintenance Plan Revisions

In accordance with section 175A(b) of the CAA, the State of Utah has committed to submit a revised maintenance plan SIP revision eight years after redesignation. This provision and other State-triggered mechanisms (such as in response to revisions to the CO NAAQS or to take advantage of improved or more expeditious methods of maintaining the CO standard) for revising the maintenance plan are contained in section IX.C.7.i.(4) of the SLC maintenance plan.

II. Transportation Conformity

One key provision of EPA's conformity regulation requires a demonstration that emissions from the transportation plan and Transportation Improvement Program are consistent with the emissions budgets in the SIP (40 CFR sections 93.118 and 93.124). The emissions budget is defined as the level of mobile source emissions relied upon in the attainment or maintenance demonstration to maintain compliance with the NAAQS in the nonattainment area. The rule's requirements and EPA's policy on emissions budgets are found in the preambles to the November 24, 1993, and August 15, 1997, transportation conformity rules (58 FR 62193–96 and 62 FR 43780 et seq.) and in the sections of the rule referenced above.

The maintenance plan defines emissions budgets for each year between 1994 and 2006 (see Table IX.C.35 of the maintenance plan) and for 2016 (see Section IX, Part C.7.f.(2), page 110, of the maintenance plan) that the metropolitan planning organization (Wasatch Front Regional Council—WFRC) will use to demonstrate conformity. These year-by-year emissions budgets are presented below in Table II and EPA is approving them in this action. The plan also describes a safety margin (called the ''emissions credit'') for each year (1994 through 2006), which is the difference between total emissions from all sources in the attainment year and in each of those future years.

The State discusses the potential allocation of these identified year-by-year emission credits for the 1994 through 2006 time period in section (3), ''Emissions Credit Allocation'', on page 110, Section IX, Part C.7, of the

maintenance plan. Section (3) states that ''The emissions credit or any portion of it may be allocated to any source category contributing to the inventory; i.e., area sources, non-road sources, or on-road sources mobile sources. The allocation of emission credits shall be made by order of the Utah Air Quality Board and shall not be inconsistent with this plan.''

This language is inconsistent with EPA's requirements for allocating the safety margin, and, thus, is not sufficient to allow the safety margin to be used for transportation conformity determinations or for other purposes. For example, EPA's longstanding interpretation is that the SIP itself must include some or all of the safety margin in the motor vehicle emissions budget before the safety margin may be used in transportation conformity determinations. *See* 58 FR 62195, November 24, 1993. Similarly, EPA has taken the position that conformity determinations may not trade emissions among SIP budgets for highway/transit versus other sources unless a SIP revision for the specific trade is submitted and approved by EPA or the SIP establishes appropriate mechanisms for such trading. *Id*. EPA's transportation conformity rule reflects these concepts at 40 CFR 93.124(a), (b), and (c).

The maintenance plan does not explicitly include the safety margin in the motor vehicle emissions budget or any other budget. (The one exception is for the year 2016. The 2016 budget is described in detail below.) Instead, the maintenance plan attempts to allow the Utah Air Quality Board to make an allocation of the safety margin to one or more of the budgets at some future date. This is not the explicit SIP allocation contemplated by EPA's conformity rule. Nor does this approach constitute an appropriate trading mechanism. Thus, under the language of the maintenance plan as it now stands, the safety margin may not be used for conformity determinations or any other purpose. All conformity determinations must demonstrate conformity with the emissions budgets in the maintenance plan as cited above and summarized in Table II below. The State may seek EPA approval of a SIP revision to allocate some or all of the available safety margin for transportation conformity, general conformity, or other purposes.

Consistent with the foregoing, and to avoid confusion, EPA is taking no action on Section IX, Part C.7.f.(3) of the maintenance plan.

For 2016, the State specifically included the safety margin in the on-road mobile source CO emissions budget, and thus, for 2016, the safety margin may be used for transportation conformity purposes. However, in calculating the emission budget for the year 2016, the State made mathematical errors. Section IX, Part C.7.f.(2) of the maintenance plan indicates the emission budget is 192.22 tons of CO per winter week day. The correct value is 192.06 tons of CO. To arrive at the 2016 budget value, the State subtracted the 2016 emissions projections for all source categories other than on-road mobile from the 1993 CO attainment year emissions inventory for all sources. For the 1993 CO total inventory value, the State used 225.42 tons of CO per winter week day, when it should have used 225.73 tons per day as reflected in Table IX.C.35 of the maintenance plan. For the 2016 emissions projections for all source categories other than on-road mobile, the State used 33.20 tons per day, when it should have used 33.67 tons per day as reflected in Section 3 of Volume 3 of the State's TSD. The Utah Division Air Quality corrected these mathematical errors by making a non-substantive change to the maintenance plan on July 14, 1998. These corrections became effective on July 27, 1998, and were received by EPA on August 12, 1998. As reflected in Table II below, EPA hereby approves the State's corrected emission budget for 2016 of 192.06 tons of CO per day. This budget, which, as noted above, specifically allocates the safety margin available in 2016 for transportation conformity purposes, may be used for transportation conformity determinations for the year 2016 and beyond.

The maintenance plan also states that, ''[a]n emission budget for the period extending from 2007 to 2016 has been established. (See TSD).'' As noted above, the maintenance plan clearly identifies emission budgets for years 1994 through 2006 and 2016. However, the maintenance plan does not clearly identify an emission budget for the period 2007 to 2015. The reference to the TSD is not helpful for two reasons. First, EPA's Transportation Conformity Rule requires that budgets be established by the SIP (see 40 CFR 93.118(a), (b), and (e)(4); 62 FR 43781, August 15, 1997), and EPA does not consider the TSD to be part of the SIP. Second, the TSD does not contain language that explicitly identifies an emission budget. It is not appropriate to infer an emission budget beyond the maintenance year unless the SIP explicitly identifies such an emission budget. See 58 FR 62195, November 24, 1993. Therefore, EPA is not approving any emission budget for the period 2007 through 2015, and any transportation conformity determinations for such years must be based on the 2006 emission budget. If the State wishes to establish an emission budget or budgets for the years 2007 through 2015, it may revise the maintenance plan and seek EPA's approval.

TABLE II.—ON-ROAD MOBILE SOURCE CO EMISSIONS BUDGETS FOR SLC

[In tons of CO per day]

Year	1993	1994	1995	1996	1997	1998	1999	2000
Budget	202.24	193.95	184.84	175.30	169.56	163.90	158.80	154.66
Year	2001	2002	2003	2004	2005	2006	.....	2016
Budget	149.13	148.45	145.64	143.79	144.66	145.37	.....	192.06

III. UACR R307–1–3.3

In his November 24, 1995, submittal of the redesignation request and maintenance plan for SLC, the Governor also included minor revisions to UACR R307–1–3.3, which contains requirements for new source review. These revisions made the rule's requirements applicable in both nonattainment and maintenance areas instead of just nonattainment areas. These revisions are acceptable to EPA and should help foster continued attainment of the CO standard in the SLC area. The above changes to UACR R307–1–3.3 were adopted by the UAQB October 4, 1995, and, with changes, December 6, 1995, and became State effective January 31, 1996.

IV. Final Action

In this action, EPA is approving the SLC carbon monoxide redesignation

request, maintenance plan, and the revisions to UACR R307–1–3.3. However, as noted above, EPA is not taking any action on Section IX, Part C.7.f.(3) of the maintenance plan, ''Emissions Credit Allocation.''

EPA is publishing this action 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 adverse comments be filed. This rule will be effective March 22, 1999 without further notice unless the Agency receives adverse comments by February 22, 1999.

If EPA receives such comments, then EPA will publish a timely withdrawal of the direct final rule informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on March 22, 1999 and no further action will be taken on the proposed rule.

V. Administrative Requirements

A. Executive Order 12866

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

B. Executive Order 12875: Enhancing the Intergovernmental Partnership

Under Executive Order 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, Executive Order 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, Executive Order 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. Redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Redesignation to attainment is an action that affects the status of a geographical area and does not impose any regulatory requirements on state, local, or tribal governments. Thus, the rule does not impose any enforceable duties on state, local, or tribal governments. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

C. Executive Order 13045

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 and 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.

D. Executive Order 13084: Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly affects 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, Executive Order 12084 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, Executive Order 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. Redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements. Redesignation to attainment is an action that affects the status of a geographical area and does not impose any regulatory requirements. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

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 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). Redesignation of an area to attainment under sections 107(d)(3)(D) and (E) of the Clean Air Act does not impose any new requirements on small entities. Redesignation to attainment is an action that affects the status of a geographical area and does

not impose any regulatory requirements on sources. Therefore, I certify that the approval of the redesignation request will not affect a substantial number of small entities.

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 costs to State, local, or tribal governments in the aggregate, or to the 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 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 a redesignation to attainment and 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, will result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. section 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 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 the publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. section 804(2).

H. 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 March 22, 1999. 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.

40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: November 23, 1998.

Jack W. McGraw,

Acting Regional Administrator Region VIII.

Chapter I, title 40, parts 52 and 81 of the Code of Federal Regulations are 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 TT—UTAH

2. Section 52.2320 is amended by adding paragraph (c)(39) to read as follows:

§ 52.2320 Identification of plan.

* * * * *

(c) * * *

(39) Revisions to the Utah State Implementation Plan, Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide as submitted by the Governor on December 6, 1996 (with minor mathematical corrections submitted by the Utah Division of Air Quality on August 12, 1998), excluding Section IX, Part C.7.f.(3) of the plan, ''Emissions Credit Allocation,'' as EPA is not taking any action on that section of the plan. UACR R307–1–3.3 Requirements for Nonattainment and Maintenance Areas—New and Modified Sources; as submitted by the Governor on November 24, 1995.

(i) Incorporation by reference.

(A) UACR R307–2–12, adopted by the Utah Air Quality Board on August 7, 1996 and September 4, 1996, effective November 1, 1996, as modified through a notice of nonsubstantive rule change dated July 14, 1998, effective July 27, 1998, to correct minor mathematical errors in Section IX, Part C.7.f.(2) of the Utah State Implementation Plan (SIP). UACR R307–2–12 incorporates by reference a number of provisions of the Utah SIP, only some of which are relevant to this rulemaking action. EPA's incorporation by reference of UACR R307–2–12 only extends to the following Utah SIP provisions and excludes any other provisions that UACR R307–2–12 incorporates by reference:

Section IX, Part C.7 (except for Section IX, Part C.7.f.(3)), Carbon Monoxide Maintenance Provisions for Salt Lake City, adopted by Utah Air Quality Board on August 7, 1996, and September 4, 1996, effective November 1, 1996, as modified by the nonsubstantive rule change noted above.

(B) UACR R307–1–3.3, a portion of Requirements for Nonattainment and Maintenance Areas—New and Modified Sources, as adopted by the Utah Air Quality Board on October 4, 1995, December 6, 1995, effective January 31, 1996.

(ii) Additional material.

(A) February 19, 1998, letter from Ursula Trueman, Director, Utah Division of Air Quality, Department of Environmental Quality to Richard R. Long, Director, Air and Radiation Program, EPA Region VIII, entitled ''DAQS–0188–98; Technical Support Documents—Ogden City and Salt Lake City CO Maintenance Plans.'' This letter confirmed that all the emission projections, contained in the technical support documents for both the Salt Lake City and Ogden City redesignation requests, were properly adopted by the Utah Air Quality Board in accordance with the Utah Air Quality Rules.

(B) Materials from Jan Miller, Utah Division of Air Quality, Department of Environmental Quality, received by Tim Russ, Air and Radiation Program, EPA Region VIII, displaying the minor mathematical corrections to the on-road mobile source emission budgets in Section IX, Part C. 7.f.(2) of the Salt Lake City CO Maintenance Plan. These nonsubstantive changes were made in accordance with the Utah Air Quality Rules and were effective July 27, 1998.

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 § 81.345, the table entitled ''Utah-Carbon Monoxide'' is amended by revising the entry for ''Salt Lake City Area'' to read as follows:

§ 81.345 Utah.

* * * * *

UTAH—CARBON MONOXIDE

Designated area	Designation		Classification	
	Date [1]	Type	Date [1]	Type
* * *	*	*	*	*
Salt Lake City Area: Salt Lake County (part), Salt Lake City.	3–22–99	Attainment.		
* * *	*	*	*	*

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

* * * * *

[FR Doc. 99–1259 Filed 1–20–99; 8:45 am]

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