

US EPA ARCHIVE DOCUMENT

Overview of 172(e) Rule Approach

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172(e)

Applicability

- The 172(e) rule refers to AREAS violating
- Many nonattainment areas contain several counties or portions of counties. Do you hold the entire nonattainment area to the 172(e) requirements, or just those portions/counties violating?
- **DECISION:**
 - ▶ Maintain the integrity of the existing nonattainment area boundaries for the violating counties within a nonattainment area.
 - ▶ County boundaries as a default for unclassifiable areas.

172(e)

Timing

- **How long should the requirements outlined in this rule remain in effect?**
- **DECISION:**
 - ▶ **Requirements remain in effect until the area is designated attainment for the revised PM₁₀ NAAQS.**
 - ▶ **For those areas designated nonattainment for the revised PM₁₀ NAAQS, continue to implement the 172(e) requirements until the area has 3 years of monitored data meeting the revised PM₁₀ NAAQS.**

172(e)

Areas which attain based on 1995-1997 data

- Several areas that were in violation as of September 16, 1997 (94-96 data) will show attainment based on 95-97 data.
- Should these areas be required to do more for a standard they are attaining because they didn't make the cut-off date, or should we provide a low hurdle 172(e) for them?
- **DECISION:**
 - ▶ A lower hurdle for these areas will be provided for those areas that are currently attaining the preexisting PM₁₀ NAAQS based on 95-97 data.

172(e)

Areas which do not attain based on 1995-1997 data

- **What are the remaining requirements?**
- **DECISION:**
- **(1) For nonattainment areas - continue to require previous obligations including conformity. Part D NSR will not apply. PSD will apply.**
 - ▶ **Moderate areas - continue to implement RACM.**
 - ▶ **Serious areas - continue to implement BACM plus any additional measures.**

172(e)

Areas which do not attain based on 1995-1997 data (con't)

- (2) For unclassifiable areas, consistent with Subpart 4:
 - ▶ Require demonstration for the purpose of determining RACM for the preexisting PM₁₀ standard.
 - ▶ Measures implemented as expeditiously as practicable but no later than 4 years (2002 timeframe--depending on date of final rulemaking)
 - ▶ SIP due in 18 months identifying RACM (2000 timeframe--depending on date of final rulemaking),
 - ▶ Conformity and part D NSR will not apply. PSD will apply.

Areas Affected by the Section 172(e) Rule

<ul style="list-style-type: none"> ▪ Region 3 <ul style="list-style-type: none"> – Allegheny, PA – Philadelphia, PA – Hancock, WV 	<ul style="list-style-type: none"> Nonattainment Unclassified Nonattainment 	<ul style="list-style-type: none"> ▪ Region 8 <ul style="list-style-type: none"> – Teller, CO – Flathead, MT 	<ul style="list-style-type: none"> Unclassified Nonattainment
<ul style="list-style-type: none"> ▪ Region 5 <ul style="list-style-type: none"> – Cook, IL – Randolph, IL – DeKalb, IN – Lake, IN – Ramsey, MN – Cuyahoga, OH 	<ul style="list-style-type: none"> Nonattainment Unclassified Unclassified Nonattainment Nonattainment Nonattainment 	<ul style="list-style-type: none"> ▪ Region 9 <ul style="list-style-type: none"> – Phoenix, AZ – Colusa Co, CA – Imperial Co, CA – Owens Valley, CA – Searles, CA – Mono Basin, CA – South Coast, CA – San Joaquin Valley, CA – Siskiyou, CA – Clark Co, NV 	<ul style="list-style-type: none"> Nonattainment Unclassified Nonattainment Nonattainment Nonattainment Nonattainment Nonattainment Nonattainment Unclassified Nonattainment
<ul style="list-style-type: none"> ▪ Region 6 <ul style="list-style-type: none"> – El Paso, TX 	<ul style="list-style-type: none"> Nonattainment 	<ul style="list-style-type: none"> ▪ Region 10 <ul style="list-style-type: none"> – Municipality of Anchorage, excl. Eagle River, AK – Pocatello, ID 	<ul style="list-style-type: none"> Unclassified Nonattainment
<ul style="list-style-type: none"> ▪ Region 7 <ul style="list-style-type: none"> – Cerro Gordo, IA – Scott, IA – Morton, KS – Sedgewick, KS – Howell, MO 	<ul style="list-style-type: none"> Unclassified Unclassified Unclassified Unclassified Unclassified 		