

Environmental Protection Agency

§ 51.1005

the State and EPA provide an appropriate technical demonstration for a specific area showing that NO_x emissions from sources in the State do not significantly contribute to PM_{2.5} concentrations in the nonattainment area.

(3) The State is not required to address VOC as a PM_{2.5} attainment plan precursor and evaluate sources of VOC emissions in the State for control measures, unless:

(i) the State provides an appropriate technical demonstration for a specific area showing that VOC emissions from sources in the State significantly contribute to PM_{2.5} concentrations in the nonattainment area, and such demonstration is approved by EPA; or

(ii) The EPA provides such a technical demonstration.

(4) The State is not required to address ammonia as a PM_{2.5} attainment plan precursor and evaluate sources of ammonia emissions from sources in the State for control measures, unless:

(i) The State provides an appropriate technical demonstration for a specific area showing that ammonia emissions from sources in the State significantly contribute to PM_{2.5} concentrations in the nonattainment area, and such demonstration is approved by EPA; or

(ii) The EPA provides such a technical demonstration.

(5) The State must submit a demonstration to reverse any presumption in this rule for a PM_{2.5} precursor with respect to a particular nonattainment area, if the administrative record related to development of its SIP shows that the presumption is not technically justified for that area.

§ 51.1003 [Reserved]

§ 51.1004 Attainment dates.

(a) Consistent with section 172(a)(2)(A) of the Act, the attainment date for an area designated nonattainment for the PM_{2.5} NAAQS will be the date by which attainment can be achieved as expeditiously as practicable, but no more than five years from the date of designation. The Administrator may extend the attainment date to the extent the Administrator determines appropriate, for a period no greater than 10 years from the date of designation, considering the se-

verity of nonattainment and the availability and feasibility of pollution control measures.

(b) In the SIP submittal for each of its nonattainment areas, the State must submit an attainment demonstration justifying its proposed attainment date. For each nonattainment area, the Administrator will approve an attainment date at the same time the Administrator approves the attainment demonstration for the area, consistent with the attainment date timing provision of section 172(a)(2)(A) and paragraph (a) of this section.

(c) Upon a determination by EPA that an area designated nonattainment for the PM_{2.5} NAAQS has attained the standard, the requirements for such area to submit attainment demonstrations and associated reasonably available control measures, reasonable further progress plans, contingency measures, and other planning SIPs related to attainment of the PM_{2.5} NAAQS shall be suspended until such time as: the area is redesignated to attainment, at which time the requirements no longer apply; or EPA determines that the area has violated the PM_{2.5} NAAQS, at which time the area is again required to submit such plans.

§ 51.1005 One-year extensions of the attainment date.

(a) Pursuant to section 172(a)(2)(C)(ii) of the Act, a State with an area that fails to attain the PM_{2.5} NAAQS by its attainment date may apply for an initial 1-year attainment date extension if the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and:

(1) For an area that violates the annual PM_{2.5} NAAQS as of its attainment date, the annual average concentration for the most recent year at each monitor is 15.0 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(2) For an area that violates the 24-hour PM_{2.5} NAAQS as of its attainment date, the 98th percentile concentration for the most recent year at each monitor is 65 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(b) An area that fails to attain the PM_{2.5} NAAQS after receiving a 1-year attainment date extension may apply for a second 1-year attainment date extension pursuant to section 172(a)(2)(C)(ii) if the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and:

(1) For an area that violates the annual PM_{2.5} NAAQS as of its attainment date, the two-year average of annual average concentrations at each monitor, based on the first extension year and the previous year, is 15.0 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(2) For an area that violates the 24-hour PM_{2.5} NAAQS as of its attainment date, the two-year average of annual 98th percentile concentrations at each monitor, based on the first extension year and the previous year, is 65 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

§ 51.1006 Redesignation to nonattainment following initial designations for the PM_{2.5} NAAQS.

Any area that is initially designated “attainment/unclassifiable” for the PM_{2.5} NAAQS may be subsequently redesignated to nonattainment if ambient air quality data in future years indicate that such a redesignation is appropriate. For any such area that is redesignated to nonattainment for the PM_{2.5} NAAQS, any absolute, fixed date that is applicable in connection with the requirements of this part is extended by a period of time equal to the length of time between the effective date of the initial designation for the PM_{2.5} NAAQS and the effective date of redesignation, except as otherwise provided in this subpart.

§ 51.1007 Attainment demonstration and modeling requirements.

(a) For any area designated as nonattainment for the PM_{2.5} NAAQS, the State must submit an attainment demonstration showing that the area will attain the annual and 24-hour standards as expeditiously as practicable. The demonstration must meet the requirements of § 51.112 and Appendix W

of this part and must include inventory data, modeling results, and emission reduction analyses on which the State has based its projected attainment date. The attainment date justified by the demonstration must be consistent with the requirements of § 51.1004(a). The modeled strategies must be consistent with requirements in § 51.1009 for RFP and in § 51.1010 for RACT and RACM. The attainment demonstration and supporting air quality modeling should be consistent with EPA’s PM_{2.5} modeling guidance.

(b) *Required time frame for obtaining emissions reductions.* For each nonattainment area, the State implementation plan must provide for implementation of all control measures needed for attainment as expeditiously as practicable, but no later than the beginning of the year prior to the attainment date. Consistent with section 172(c)(1) of the Act, the plan must provide for implementation of all RACM and RACT as expeditiously as practicable. The plan also must include RFP milestones in accordance with § 51.1009, and control measures needed to meet these milestones, as necessary.

§ 51.1008 Emission inventory requirements for the PM_{2.5} NAAQS.

(a) For purposes of meeting the emission inventory requirements of section 172(c)(3) of the Act for nonattainment areas, the State shall, no later than three years after designation:

(1) Submit to EPA Statewide emission inventories for direct PM_{2.5} emissions and emissions of PM_{2.5} precursors. For purposes of defining the data elements for these inventories, the PM_{2.5} and PM_{2.5} precursor-relevant data element requirements under subpart A of this part shall apply.

(2) Submit any additional emission inventory information needed to support an attainment demonstration and RFP plan ensuring expeditious attainment of the annual and 24-hour PM_{2.5} standards.

(b) For inventories required for submission under paragraph (a) of this section, a baseline emission inventory is required for the attainment demonstration required under § 51.1007 and for meeting RFP requirements under § 51.1009. As determined on the date of