

§ 52.1071

40 CFR Ch. I (7-1-08 Edition)

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
1996-1999 Rate-of-Progress Plan SIP and the Transportation Control Measures (TCMs) in Appendix H.	Washington DC 1-hour ozone nonattainment area.	12/20/97, 5/20/99 .....	5/16/05, 70 FR 25688 ..	Only the TCMs in Appendix H of the 5/20/1999 revision. 1999 motor vehicle emissions budgets of 128.5 tons per day (tpy) of VOC and 196.4 tpy of NO <sub>x</sub> .
1990 Base Year Inventory Revisions.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04 .....	5/16/05, 70 FR 25688 ..	
1999-2005 Rate-of-Progress Plan SIP Revision and the Transportation Control Measures (TCMs) in Appendix J.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04 .....	5/16/05, 70 FR 25688 ..	Only the TCMs in Appendix J of the 2/24/2004 revision. 2002 motor vehicle emissions budgets (MVEBs) of 125.2 tons per day (tpy) for VOC and 290.3 tpy of NO <sub>x</sub> , and, 2005 MVEBs of 97.4 tpy for VOC and 234.7 tpy of NO <sub>x</sub> .
VMT Offset SIP Revision.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04 .....	5/16/05, 70 FR 25688 ..	
Contingency Measure Plan.	Washington, DC Area ..	9/2/03, 2/24/04 .....	5/16/05, 70 FR 25688 ..	
1-hour Ozone Modeled Demonstration of Attainment.	Washington DC 1-hour ozone nonattainment area.	9/2/03, 2/24/04 .....	5/16/05, 70 FR 25688.	
Attainment Demonstration and Early Action Plan for the Washington County Ozone Early Action Compact Area.	Washington County .....	12/20/04, 2/28/05 .....	8/17/05, 70 FR 48283.	
1-hour Ozone Attainment Plan.	Washington DC 1-hour ozone nonattainment area.	9/2/2003, 2/24/2004 .....	11/16/05, 70 FR 69440.	
8-hour Ozone Maintenance Plan for the Kent and Queen Anne's Area.	Kent and Queen Anne's Counties.	05/2/06, 05/19/06 .....	12/22/06, 71 FR 76920.	

[69 FR 69306, Nov. 29, 2004, as amended at 69 FR 76855, Dec. 23, 2004; 70 FR 16123, Mar. 30, 2005; 70 FR 16963, Apr. 4, 2005; 70 FR 24986, 24990, May 12, 2005; 70 FR 25717, May 13, 2005; 70 FR 38776, July 6, 2005; 70 FR 48285, Aug. 17, 2005; 70 FR 60739, 60741, Oct. 19, 2005; 70 FR 66264, Nov. 2, 2005; 70 FR 69443, Nov. 16, 2005; 71 FR 5608, Feb. 2, 2006; 71 FR 16238, 16240, Mar. 31, 2006; 71 FR 26690, May 8, 2006; 71 FR 34015, June 13, 2006; 71 FR 34258, June 14, 2006; 71 FR 62212, Oct. 24, 2006; 71 FR 76921, Dec. 22, 2006, 72 FR 1290, 1292, Jan. 11, 2007; 72 FR 27958, May 18, 2007; 72 FR 41893, Aug. 1, 2007; 72 FR 69622, Dec. 10, 2007; 73 FR 3189, Jan. 17, 2008; 73 FR 10674, Feb. 28, 2008; 73 FR 12896, Mar. 11, 2008]

§ 52.1071 Classification of regions.

The Maryland plans were evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Cumberland-Keiser Interstate .....	I	I	III	III	III
Central Maryland Intrastate .....	II	II	III	III	III
Metropolitan Baltimore Intrastate .....	I	I	I	I	I

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
National Capital Interstate .....	I	I	III	I	I
Southern Maryland Intrastate .....	III	III	III	III	III
Eastern Shore Intrastate .....	II	III	III	III	III

[37 FR 10870, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 53475, Aug. 12, 1980]

**§ 52.1072 Conditional approval.**

(a)–(c) [Reserved]

(d) Revisions to the Maryland State Implementation Plan pertaining to Maryland’s major VOC source RACT and minor VOC source requirements, COMAR 26.11.19.02G and COMAR 26.11.06.06, submitted on April 5, 1991, June 8, 1993, and July 12, 1995 by the Maryland Department of the Environment are conditionally approved. Maryland must meet the following conditions by no later than 12 months after the publication of the final conditional rulemaking. These conditions are: Maryland certify that it has submitted case-by-case RACT proposals for all sources subject to the RACT requirements; or demonstrate that the emissions from any remaining subject sources represent a de minimis level of emissions, as defined in the final rulemaking notice.

(i) Additional Material.

(A) Letter of February 7, 1996 from the Maryland Department of the Environment agreeing to meet certain conditions by no later than 12 months after the publication of the final conditional rulemaking. These conditions are: Maryland submit case-by-case RACT proposals for all sources subject to the RACT requirements; Maryland certify that, to the best of its knowledge, there are no other sources subject to the RACT requirements.

(e) Maryland’s severe ozone non-attainment area SIP for the Metropolitan Washington area, which includes the 1996–1999 portion of the rate-of-progress plan submitted on December 24, 1997 and May 20, 1999 and the transportation control measures in Appendix H of the May 25, 1999 submittal, and the severe ozone attainment demonstration submitted on April 29, 1998, August 17, 1998, February 14, 2000 and section 9.1.1.2 of the March 22, 2000 sub-

mittal and the transportation control measures in Appendix J of the February 9, 2000 submittal, is conditionally approved contingent on Maryland submitting a revised SIP by April 17, 2004 that satisfies certain conditions. This conditional approval also establishes motor vehicle emissions budgets for 2005 of 101.8 tons per day of volatile organic compounds (VOC) and 161.8 tons per day of nitrogen oxides (NO<sub>x</sub>) to be used in transportation conformity in the Metropolitan Washington, DC serious ozone nonattainment area until revised budgets based upon the MOBILE6 model are submitted and found adequate. Maryland must submit a revised SIP by April 17, 2004 that satisfies the following conditions.

(1) Revises the 1996–1999 portion of the severe area ROP plan to include a contingency plan containing those adopted measures that qualify as contingency measures to be implemented should EPA determine that the Washington area failed to achieve the required 9 percent rate-of-progress reductions by November 15, 1999.

(2) Revises the 1999–2005 portion of the severe area rate-of-progress plan to provide MOBILE6-based mobile source emission budgets and adopted measures sufficient to achieve emission reductions of ozone precursors of at least 3 percent per year from November 15, 1999 to the November 15, 2005 severe ozone attainment date.

(3) Revises the severe area ROP plan to include a contingency plan containing those adopted measures that qualify as contingency measures to be implemented should EPA determine that the Washington area failed to achieve the ROP reductions required for the post-1999 period.

(4) Revises the Washington area severe attainment demonstration to include a contingency plan containing