

or extreme depending on the severity of the area's air quality problem. The Santa Barbara County nonattainment area ("Santa Barbara") was designated under CAA section 107 as nonattainment, and classified under CAA section 181 as moderate for the 1-hour ozone NAAQS. See 40 CFR 81.305 and 56 FR 56694 (November 6, 1991).

The Santa Barbara County Air Pollution Control District (SBCAPCD) adopted a moderate area plan, intended to demonstrate attainment by the applicable deadline of November 15, 1996. The California Air Resources Board (CARB) timely submitted the plan in 1994, but later withdrew the attainment demonstration portion, since the area continued to violate the standard in 1996. We approved the remaining portion of the plan on January 8, 1997 (62 FR 1187).

On December 10, 1997 (62 FR 65025), we determined that the area had not attained the 1-hour ozone standard by the 1996 deadline. As a result of that finding, Santa Barbara was reclassified to serious by operation of law under CAA section 181(b)(1)(A).

Upon the area's reclassification to serious, CAA sections 181(a)(1) and 182(c)(2)(A) required the State to submit a revised plan demonstrating attainment as expeditiously as practicable but no later than November 15, 1999. In response, SBCAPCD adopted and CARB submitted a plan addressing the serious area requirements. EPA fully approved this plan on August 14, 2000 (65 FR 49499).

Santa Barbara attained the 1-hour ozone NAAQS in 1999 and SBCAPCD adopted a 2001 Clean Air Plan ("2001 CAP") on November 15, 2001, to address the Clean Air Act (CAA) section 175A provisions relating to 1-hour ozone maintenance plans. On May 29, 2002, CARB submitted the 2001 CAP, and requested that we make a finding of attainment for Santa Barbara and approve the contingency measures in the maintenance plan for the area. CARB indicated that the State would ask that we act on the remainder of the maintenance plan and redesignate the area to attainment when CARB requests our approval of an updated vehicle emissions factor model for use statewide in SIPs and transportation conformity analyses.

On August 27, 2002 (67 FR 54963), we found that the Santa Barbara County nonattainment area ("Santa Barbara area") had attained the 1-hour ozone national ambient air quality standard (NAAQS) by the applicable deadline of November 15, 1999. In the same action, we also approved contingency measures in Santa Barbara's 2001 CAP under CAA

section 110(k)(3). The proposed action contains more information on the finding of attainment and the contingency measures. 67 FR 44128, July 1, 2002.

On December 20, 2002, CARB transmitted for approval the State's latest update to the California-specific motor vehicle emissions model, known as EMFAC2002 (letter from Michael P. Kenny, CARB Executive Officer, to Jack Broadbent, Director, Air Division, EPA Region 9). On December 19, 2002, SBCAPCD adopted a minor revision to the 2001 CAP ("Final 2001 CAP"), amending the emissions inventory, maintenance demonstration, and motor vehicle emissions budgets to reflect EMFAC2002. On February 21, 2003, CARB submitted the Final 2001 CAP, as amended by the SBCAPCD, with a request that we approve the plan as meeting the CAA maintenance plan provisions and redesignate Santa Barbara to attainment for the 1-hour ozone NAAQS (letter from Catherine Witherspoon, CARB Executive Officer, to Wayne Nastri, Regional Administrator, EPA Region 9).

B. Clean Air Act Provisions for Maintenance Plans

CAA section 175A sets forth the elements of a maintenance plan for areas seeking redesignation from nonattainment to attainment. The maintenance plan must provide for continued maintenance of the applicable NAAQS for at least 10 years after the area is redesignated to attainment (CAA section 175A(a)). To address the possibility of future NAAQS violations, the maintenance plan must contain contingency provisions that are adequate to assure prompt correction of a violation, and must include a requirement that the State will implement all measures with respect to the control of the air pollutant concerned which were contained in the State implementation plan for the area before redesignation of the area as an attainment area (CAA section 175A(d)).

We have issued maintenance plan and redesignation guidance, primarily in the "General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990" ("General Preamble," 57 FR 13498, April 16, 1992); a September 4, 1992 memo from John Calcagni titled "Procedures for Processing Requests to Redesignate Areas to Attainment" ("Calcagni memo"); a September 17, 1993 memo from Michael H. Shapiro titled "State Implementation Plan (SIP) Requirements for Areas Submitting Requests for Redesignation to Attainment of the Ozone and Carbon

Monoxide (CO) National Ambient Air Quality Standards (NAAQS) on or after November 15, 1992"; and a November 30, 1993 memo from D. Kent Berry titled "Use of Actual Emissions in the Maintenance Demonstrations for Ozone and Carbon Monoxide (CO) Nonattainment Areas."

The Calcagni memo provides that an ozone maintenance plan should address five elements: an attainment year emissions inventory (*i.e.*, an inventory reflecting actual emissions when the area recorded attainment, and thus a level of emissions sufficient to attain the 1-hour ozone NAAQS), a maintenance demonstration, provisions for continued operation of an appropriate air quality monitoring network, verification of continued maintenance, and contingency measures.

C. Clean Air Act Provisions for Redesignation

CAA section 107(d)(3)(E) allows for redesignation providing that: (1) We determine, at the time of redesignation, that the area has attained the NAAQS; (2) we have fully approved the applicable implementation plan for the area under section 110(k); (3) we determine that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the SIP, applicable Federal regulations, and other permanent and enforceable reductions; (4) we fully approve a maintenance plan for the area as meeting the requirements of section 175A; and, (5) the State containing such area has met all nonattainment area requirements applicable to the area under section 110 and part D. We have provided guidance on redesignation in the General Preamble and in the guidance memos cited above.

II. EPA Review of the Santa Barbara Maintenance Plan and Redesignation Request

A. Maintenance Plan

As discussed above in section I.A., the 2001 CAP was initially submitted on May 29, 2002. SBCAPCD amended the plan on December 19, 2002, by updating the motor vehicle emissions inventory portion, and CARB submitted the revised plan, known as the Final 2001 CAP, on February 21, 2003.¹ The plan consists of 4 volumes, the plan itself and the following 3 appendices: Appendix A—Emission Inventory and Forecasting Documentation; Appendix

¹ On February 25, 2003, we found that this submittal met the completeness criteria in 40 CFR part 51, appendix V, including the requirement for proper public notice and adoption.