

EPA has provided further guidance on processing redesignation requests in the following documents:

(1) "Part D New Source Review (part D NSR) Requirements for Areas Requesting Redesignation to Attainment," Mary D. Nichols, Assistant Administrator for Air and Radiation, October 14, 1994.

(2) "Use of Actual Emissions in Maintenance Demonstrations for Ozone and Carbon Monoxide (CO) Nonattainment Areas," D. Kent Berry, Acting Director, Air Quality Management Division, November 30, 1993.

(3) "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," Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation, September 17, 1993.

(4) "State Implementation Plan (SIP) Actions Submitted in Response to Clean Air Act Deadlines," John Calcagni, Director, Air Quality Management Division, October 28, 1992.

(5) "Procedures for Processing Requests to Redesignate Areas to

Attainment," John Calcagni, Director, Air Quality Management Division, September 4, 1992.

(6) "Contingency Measures for Ozone and Carbon Monoxide (CO) Redesignations," G.T. Helms, Chief, Ozone/Carbon Monoxide Programs Branch, June 1, 1992.

(7) State Implementation Plans; General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990 (57 FR 13498), April 16, 1992.

3. Is the State's Submission Consistent With the Clean Air Act?

The following paragraphs discuss each of these criteria with respect to Wisconsin's request to redesignate Manitowoc and Door Counties to attainment for ozone:

a. The area has attained the applicable NAAQS;

b. The area has met all relevant requirements under section 110 and part D of the Act;

c. The area has a fully approved SIP under section 110(k) of the Act;

d. The air quality improvement is permanent and enforceable;

e. The area has a fully approved maintenance plan pursuant to section 175A of the Act.

a. Attainment of the Ozone NAAQS

According to the September Calcagni memorandum, for ozone, an area is considered attaining the NAAQS if there are no violations, as determined in accordance with the regulation codified at 40 CFR 50.9, based on three consecutive calendar years of complete, quality assured monitoring data. A violation occurs when the ozone air quality monitoring data show greater than one (1.0) average expected exceedance per year at any site in the area. An exceedance occurs when the maximum hourly ozone concentration exceeds 0.124 parts per million (ppm). The data should be collected and quality-assured in accordance with 40 CFR part 58, and recorded in the Aerometric Information Retrieval System (AIRS) so that it is available to the public for review.

The Wisconsin request is based on an analysis of ozone air quality data from 1999–2002 as reported in AIRS. The State collected this data in an EPA approved, quality assured, National Air Monitoring System monitoring network. Table 1 below summarizes this air quality data.

TABLE 1.—AMBIENT AIR QUALITY MONITORING DATA FOR 1999–2002 EXTRACTED FROM AIRS (PPM)

Site ID	Site name	County	Year	1st Max	2nd Max	3rd Max	4th Max	No. exceed	3 yr avg
55-029-0004	Newport	Door	1999	.123	.112	.109	.109	0
			2000	.108	.095	.095	.092	0
			2001	.125	.113	.109	.107	1	0.3
			2002	.113	.110	.108	.100	0	0.3
55-071-0004	Collins	Manitowoc	1999	.122	.109	.101	.097	0
			2000	.091	.090	.080	.078	0
			2001	.112	.112	.109	.107	0	0
			2002	.105	.098	.093	.091	0	0
55-071-0007	Manitowoc	Manitowoc	1999	.130	.115	.107	.106	1
			2000	.111	.092	.092	.091	0
			2001	.120	.110	.109	.108	0	0.3
			2002	.101	.100	.099	.095	0	0

During the 1999–2002 time period, the Newport monitor in Door county recorded only one exceedance of the ozone NAAQS, resulting in a three year average of 0.3 exceedances per year for both 1999–2001 and 2000–2002. During the 1999–2002 time period, the Collins monitor in Manitowoc County recorded no exceedances of the ozone NAAQS, and the Manitowoc monitor in Manitowoc county recorded only one exceedance of the ozone NAAQS. For Manitowoc County, this resulted in a three year average of 0.3 exceedances per year for 1999–2001 and 0 exceedances per year for 2000–2002. The data demonstrates that the areas are

monitoring attainment of the 1-hour ozone NAAQS.

As a result, the areas meet the first statutory criterion for redesignation to attainment of the ozone NAAQS. The State has committed to continue monitoring in the areas in accordance with 40 CFR part 58. (If, however, complete quality assured data show violations of the ozone NAAQS before the final EPA action on this redesignation, the area(s) will no longer qualify for redesignation).

b. Meeting Applicable Requirements of Section 110 and Part D

In November 1991, Manitowoc and Door Counties were designated nonattainment for ozone and classified as moderate and rural transport (marginal) areas, respectively. As a result of this designation, the WDNR was required to submit State Implementation Plans (SIP) that meet the requirements of the Act and demonstrate attainment and maintenance of the ozone NAAQS.

The status of all required SIP elements follows: