

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA-274-0371; FRL-7473-3]

Approval and Promulgation of State Implementation Plans; California—South Coast

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is taking final action to approve state implementation plan (SIP) revisions submitted by the State of California to provide for attainment of the particulate matter (PM-10) national ambient air quality standards (NAAQS) in the Los Angeles-South Coast Air Basin Area and to establish emissions budgets for purposes of transportation conformity. EPA is also granting the State's request for an extension of the PM-10 attainment deadline to December 31, 2006.

EFFECTIVE DATE: This rule is effective on May 19, 2003.

ADDRESSES: You can inspect copies of the docket for this action during normal business hours at EPA's Region IX office. You can inspect copies of the submitted SIP materials at the following locations:

U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

California Air Resources Board, 1001 I Street, Sacramento, California, 95812.

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, California, 91765-0932.

Most of the plan materials are also electronically available at: <http://www.aqmd.gov/aqmp/>.

FOR FURTHER INFORMATION CONTACT:

Dave Jesson, EPA Region IX, (415) 972-3957, or jesson.david@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, "we," "us," and "our" refer to EPA.

I. Proposed Action

On December 17, 2002 (67 FR 77212), we proposed to approve the serious area PM-10 SIP submittals by California for the South Coast Air Basin (or "South Coast"), including the motor vehicle emissions budgets, and to grant the State's request that we extend the attainment date from December 31, 2001 to December 31, 2006, in accordance with Clean Air Act (CAA) section 188(e).

Our proposed approval was based on the following SIP submittals by the State of California:

(1) That portion of the 1994 Air Quality Management Plan (AQMP, or "1994 plan"), adopted by the South Coast Air Quality Management District (SCAQMD) on September 9, 1994, and submitted by the California Air Resources Board (CARB) on November 15, 1994, that addresses the CAA provisions on control measures and best available control measure (BACM);

(2) the 1997 AQMP ("1997 plan") adopted by the SCAQMD on November 15, 1996, and submitted by CARB on February 5, 1997, addressing the CAA provisions for emissions inventories, control measures and BACM, reasonable further progress, contingency measures, attainment demonstration, motor vehicle emissions budgets, and attainment date extension;

(3) the 1998 amendment to the 1997 plan ("1998 amendment"), adopted by the SCAQMD on April 10, 1998, and submitted by CARB on April 22, 1998, establishing motor vehicle emission budgets;

(4) the 1999 amendment to the 1997 plan ("1999 amendment"), adopted by the SCAQMD on December 10, 1999, and submitted by CARB on February 4, 2000, addressing the CAA provisions for control measures and BACM; and

(5) the 2002 status report adopted by SCAQMD on June 7, 2002, and submitted by CARB on November 18, 2002, addressing the CAA provisions for control measures and BACM, reasonable further progress, and motor vehicle emissions budgets for purposes of transportation conformity.

The proposal contains detailed information on these SIP submittals and our evaluation of the submittals against applicable CAA provisions and EPA policies relating to serious area PM-10 SIPs.

II. Public Comments

We received one public comment from an individual asking that EPA specify the statutes relied upon to grant an extension of time to attain the NAAQS. The commenter further asked EPA to take a second look at policies to extend attainment dates if adequate legal authority does not exist.

As discussed in our proposed rule (67 FR 77217), CAA section 188(e) allows states to apply for up to a 5-year extension of the PM-10 serious area attainment deadline of December 31, 2001. CAA section 188(e) provides us with explicit authority to grant the extension if the state makes a showing that: (1) The plan for the area includes the most stringent measures that are included in the SIP of any state or are achieved in practice in any state, and can feasibly be implemented in the area,

(2) the state complied with all requirements and commitments pertaining to the area in the implementation plan for the area, and (3) attainment by 2001 would be impracticable. In the proposed action, we show how the State's submittals satisfy each of these criteria. The commenter provided no evidence that the prerequisites to approval of the extension had not been satisfied. We continue to conclude that the State has met the applicable statutory provisions and we are therefore finalizing our attainment date extension.

Under our policy for reviewing the adequacy of motor vehicle emissions budget submissions, these budgets were posted on our transportation conformity Web site (<http://www.epa.gov/oms/traq>) for public comment. We received no comments on the budgets.

III. EPA Action

In this document, we are finalizing the following actions on the PM-10 SIP submittals for the South Coast. For each action, we indicate the page on which the element is discussed in our proposal.

(1) Approval of the baseline and projected emissions inventories of the 1997 plan (Appendix III and Appendix V, Chapter 2) under CAA section 172(c)(3)—67 FR 77214-5.

(2) Approval of the control measures in the 1997 plan (Chapter 4, Appendix IV-A), 1999 amendment (Appendix B), and 2002 status report (Attachment D), under CAA section 110(k)(3) as meeting the provisions of CAA sections 110(a), 188(e), and 189(b)(1)(B)—67 FR 77215 (Table 1).

(3) Approval of the contingency measures in the 1997 plan (Appendix IV-A), under CAA section 110(k)(3) as meeting the provisions of CAA section 172(c)(9)—67 FR 77216.

(4) Approval of the reasonable further progress provisions of the 1997 plan (Chapters 4 and 6; Appendix III; Appendix V, Chapter 2) and 2002 status report under CAA section 189(c)—67 FR 77216-7 (Table 2).

(5) Approval of the demonstration of attainment in the 1997 plan (Chapter 5, Appendix V) under CAA section 189(b)(1)(A)—67 FR 77217.

(6) Approval of the attainment deadline extension to December 31, 2006 in the 1997 plan (Chapters 5 and 6; Appendix V, Chapter 2), under CAA section 188(e)—67 FR 77217-8.

(7) Approval of the motor vehicle emission budgets for purposes of transportation conformity for 2003, 2006, 2010, and 2020, under CAA section 176(c)(2)(A)—67 FR 77218-9 (Table 3). As proposed, we are limiting