

comprised of DAQM planning and compliance staff and staff from the County and City public works agencies. Unpaved road paving is documented using an extranet site and the unimproved shoulders program will be reviewed through submittal of annual reports to the DAQM.⁴³ Also, the Public Works Departments in Clark County routinely track paved road performance and maintenance by checking the condition of paved roads in their respective jurisdictions.

6. Conclusion

We propose to find that the Clark County PM-10 Plan adequately provides for the enforcement of the principal measures relied on for attainment and that Clark County has provided adequate descriptions of its enforcement methods as required by our regulations.

We also propose to find that the implementing agencies for the Clark County Plan have adequate resources for implementing their respective commitments that are included in the submitted Plan and that the Plan adequately describes the resources that are available or will be available to the State and local agencies to carry out the Plan, both now and over the next 5 years.

I. Demonstration of Attainment and Attainment Date Extension

The Clark County Plan contains an analysis that demonstrates attainment of the annual PM-10 standard by December 31, 2001. Clark County predicted that an annual reduction of 5.66 percent, equivalent to 9,657 tons valley-wide and 303 tons for the J.D. Smith micro-inventory area, is needed to attain the annual 50 $\mu\text{g}/\text{m}^3$ standard, given an estimated uncontrolled concentration of 53 $\mu\text{g}/\text{m}^3$. The valley-wide rollback modeling predicts annual PM-10 concentrations to be 46.2 $\mu\text{g}/\text{m}^3$ in 2001. The corresponding microinventory projection for J.D. Smith, the exceeding site, is 48.5 $\mu\text{g}/\text{m}^3$, also less than 50 $\mu\text{g}/\text{m}^3$. Together, these demonstrate attainment of the annual PM-10 standard by 2001. We propose to find this demonstration adequate. The adequacy of the demonstration is further supported by information provided by the DAQM to EPA⁴⁴ indicating that the three-year annual average (1999–2001) of the microscale sites is below the 50 $\mu\text{g}/\text{m}^3$ standard.

Clark County has requested an extension of the attainment date for the

24-hour 150 $\mu\text{g}/\text{m}^3$ PM-10 standard. Section 188(e) of the Act allows us to extend the attainment date for a serious area for up to five years beyond 2001 if attainment by 2001 is impracticable. However, before we may grant an extension of the attainment date, the State must first:

1. Apply to us for an extension of the PM-10 attainment date beyond 2001,
2. Demonstrate that attainment by 2001 is impracticable,
3. Have complied with all requirements and commitments applying to the area in its implementation plan,
4. Demonstrate to our satisfaction that its serious area plan includes the most stringent measures that are included in the implementation plan of any state and/or are achieved in practice in any state and are feasible for the area, and
5. Submit a demonstration of attainment by the most expeditious alternative date practicable.

We evaluate the Clark County serious area plan's compliance with each of these requirements below.

1. Apply for an Extension

The documentation supporting Clark County's extension request is found in Chapter 7 of the Plan. This extension request is an integral part of the Clark County Plan and was subject to public hearing along with the rest of the plan, including the demonstration that the area will attain the 24-hour standard by the earliest alternative date practicable.

2. Demonstrate the Impracticability of Attainment by December 31, 2001

Clark County's determination that demonstrating attainment of the 24-hour standard by 2001 is impracticable is primarily based upon the need for increased enforcement staffing, which could not be completed until the end of 2001. Clark County conservatively assumes that the rule effectiveness of its regulations in 2001 is half of what it will need to be in 2006 to demonstrate attainment of the 24-hour standard.

Also, with respect to the unpaved roads schedule, Clark County indicates that the maximum benefit that will be realized at the end of 2003 from the appropriated CMAQ funding cannot practically be achieved earlier due to funding limitations each year. Notwithstanding, we note from the DAQM's June 2002 RFP Report that the responsible entities have exceeded the Section 91 required 33 percent paving of roads subject to the rule by 2001 and reported paving 86 percent, or a total of 55 of the 64 mile inventory of unpaved roads with 150 vehicle trips per day.

With respect to improvements to paved road shoulders, Clark County has committed to stabilize 33 miles of paved road shoulders by the end of 2003 using appropriated CMAQ funds and all shoulders by 2006. The remaining shoulders have a later implementation date given that new CMAQ funds will need to be appropriated and first committed towards the carbon monoxide transportation demand management program. Thus, earlier implementation would be impracticable.

The modeled valley-wide 24-hour value for 2001 is 209 $\mu\text{g}/\text{m}^3$. Although this is a significant reduction from the projected design day value of 281 $\mu\text{g}/\text{m}^3$, it still falls far short of the 150 $\mu\text{g}/\text{m}^3$ standard.

Thus, we propose to find that Clark County has demonstrated the impracticability of meeting the 24-hour standard by 2001.

3. Complied With Commitments and Requirements in the SIP

All measures upon which Clark County is relying to meet the applicable CAA requirements for a Serious Area PM-10 plan are included or referenced in the current June 2001 Plan, as amended by Clark County in November 2002.

4. Include the Most Stringent Measures

Clark County identified candidate MSM in the context of its analysis to identify potential BACM, generally finding that control measures being implemented in other PM-10 serious nonattainment areas in the western U.S. were the most stringent controls implemented by others for the types of fugitive PM-10 sources requiring control in the Las Vegas Valley.

In the Clark County Plan, after a comprehensive list of candidate MSM was developed, each measure was screened against the corresponding Clark County measure to identify those with more restrictive emission limitations, more extensive lists of affected sources, fewer exemptions, and/or one or more substantive regulatory provisions not found in the Clark County measure. Clark County includes a measure-by-measure MSM comparison in Chapter 6 of the Plan.

Based on our analysis of the Clark County Plan, we propose to find that it demonstrates to our satisfaction inclusion of the most stringent measures that are included in the implementation plan of any State, or are achieved in practice in any State, and can be feasibly implemented in the Clark County area.

⁴³ Appendix L, pg. L-12 of the Plan.

⁴⁴ June 28, 2002 letter from the DAQM to EPA with attached June 2002 Reasonable Further Progress Report.