

programs and corresponding motor vehicle emissions budgets contained in the applicable SIP. On March 2, 1999, the United States Court of Appeals for the District of Columbia Circuit issued a decision on *Environmental Defense Fund v. EPA*, 167 F.3d 641 (DC Cir. 1999), that we must make an affirmative determination that motor vehicle emission budgets in submitted SIPs are adequate before transportation agencies

can use those budgets in conformity determinations under the transportation conformity rule set forth in 40 CFR 93, subpart A.

Upon receipt of the 2000 CO plan, we announced receipt of the plan on the Internet and requested public comment by September 29, 2000. The November 20, 2000 letter from Amy Zimpfer to Allen Biaggi and the November 30, 2000 **Federal Register** Notice (65 FR 71313)

announced our decision that the motor vehicle budgets in the CO Plan are adequate. The technical support document that was attached to the letter summarizes how the motor vehicle CO emission budgets for the years 2000, 2010 and 2020 meet the adequacy criteria contained in the conformity rule (40 CFR 93.118(e)(4)). These budgets are shown in Table 7.

TABLE 7.—LAS VEGAS VALLEY PEAK SEASON EMISSION BUDGETS

[Emissions (tons/day)]

Source category	2000	2010	2020
On-road Motor Vehicles .....	310.2	329.5	457.4

Source: 2000 CO Plan, Table 8–3.

The 2000 CO plan predicts that the overall downward CO emissions trend in the nonattainment area will reverse after year 2000 and will, before 2020, exceed valley-wide CO emissions estimated for 1996 (*i.e.*, 473.56 tons per day) when CO NAAQS violations were recorded; however, the results of area-wide and hot-spot modeling provided in the 2000 CO plan indicate that CO NAAQS violations would not be expected in the future despite these increases in overall CO emissions. The explanation lies in the wider geographic distribution of traffic and related CO emissions in 2020 compared to conditions that prevailed in the mid-1990's due to land use development patterns that disperse new development and related traffic congestion into outlying areas. Thus, the CO motor vehicle emission budgets in the 2000 CO plan can be approved despite the increases relative to emissions levels associated with past NAAQS violations.

We re-affirm the evaluation provided in the TSD supporting the adequacy determination and propose to approve the CO motor vehicle emission budgets (shown in Table 7, above) contained in the 2000 CO plan as meeting the purposes of section 176(c)(1) and the transportation conformity rule at 40 CFR part 93, subpart A.

#### L. Summary of EPA's Proposed Actions

Under section 110(k)(3) of the Act, we propose the following actions on elements of the 1995 CO plan, the vehicle I/M program for Las Vegas Valley, and the 2000 CO plan.

(1) Approval of procedural requirements, under section 110(a)(1) of the Act;

(2) Approval of baseline and projected emission inventories, under sections 172(c)(3) and 187(a)(1) of the Act and

approval of reasonable further progress, under sections 172(c)(2) and 187(a)(7) of the Act;

(3) Approval of attainment demonstration, under section 187(a)(7) of the Act;

(4) Approval of revisions to the Nevada vehicle I/M program for Las Vegas Valley and Boulder City under section 187(a)(6) of the Act. Specifically, we propose to approve the statutory and regulatory basis for the revised program in NRS, title 40, section 445B.210 and sections 445B.700 through 445B.845, and title 43, sections 481.047–481.083, 482.155–482.283, 482.385, 482.461, 482.565, and 484.644–484.6441, as amended by Nevada through 2001, and NAC sections 445B.400 through 445B.735 (not including 445B.576, 445B.577, 445B.578), as amended through March 8, 2002 by SEC and DMV, and, in the case of draft revisions to NAC 445B.580, as submitted by NDEP by letter dated January 30, 2002. We will consider final action on the vehicle I/M program once we receive the final adopted version of NAC 445B.580 (and other NAC sections that specify final test procedures and equipment used for OBD checks);

(5) Approval of the State's low RVP wintertime requirement for gasoline sold in Clark County. Specifically, we propose to approve NAC 590.065 as adopted on October 28, 1998 by the State Board of Agriculture;

(6) Approval of the County's wintertime Cleaner Burning Gasoline (CBG) regulation under section 211(c)(4)(C) of the Act. Specifically, we propose to approve CCDAQM section 54 as adopted on July 24, 2001 by CCAQMB based on the condition that the State submit to EPA the CCAQMB version of the rule prior to our taking final action. CCAQMB's adopted version

of the CBG rule (CCDAQM section 54) is the same as the Board of Health's CBG regulation that had been submitted to EPA in August 2000 as one of the principal control measures in the 2000 CO plan developed to meet the applicable requirements under part D of title I of the Act for the Las Vegas CO nonattainment area but for changes in the references to the applicable agency;

(7) Approval of RTC's CAT MATCH commuter incentive program under section 187(b)(2) of the Act and our voluntary mobile source emissions reduction program policy. Specifically, we propose to approve CAT MATCH guidelines as set forth in RTC's Resolution No. 177, adopted on June 10, 1999, and the commitments to implement and monitor the program, and prepare annual reports, as set forth in RTC's Resolution No. 186, adopted on June 8, 2000;

(8) Approval of the Alternative Fuels Program for government vehicles in Clark County. Specifically, we propose to approve the regulations set forth in NAC Chapter 486A, as amended through April 20, 2000 by the State Environmental Commission;

(9) Approval of a determination that stationary sources do not contribute significantly to ambient CO levels in the Las Vegas CO nonattainment area for the purposes of section 187(c) of the Act;

(10) Approval of VMT forecasts and the responsible agencies' commitments to revise and replace the VMT projections as needed and monitor actual VMT levels in the future, under section 187(a)(2)(A) of the Act. Specifically, we propose to approve RTC's commitments to prepare VMT estimates, forecasts, and annual VMT tracking reports as set forth in Resolution No. 149, as adopted on July 13, 1995;