

that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272) do not apply. This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: July 9, 2003.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[PA189-4300; FRL-7530-7]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Liberty Borough PM₁₀ Nonattainment Area to Attainment and Approval of the Associated Maintenance Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a request from the Commonwealth of Pennsylvania to redesignate the Liberty Borough area of Allegheny County, Pennsylvania (the Liberty Borough area) from nonattainment to attainment for the national ambient air quality standard (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns (PM₁₀). The EPA is also proposing to approve a maintenance plan for the Liberty Borough area. Both the redesignation and maintenance plan were submitted by the Pennsylvania Department of Environmental Protection (PADEP) on behalf of the Allegheny County Health Department (ACHD). Approval of the maintenance plan, as a revision to the Pennsylvania State Implementation Plan (SIP), would put a plan in place for maintaining the PM₁₀ standard for the next ten years in the Liberty Borough area. This action is

being taken in accordance with the Clean Air Act (CAA).

DATES: Comments must be received on or before August 18, 2003.

ADDRESSES: Comments may be submitted either by mail or electronically. Written comments should be mailed to Makeba A. Morris, Chief, Air Quality Planning Branch, Mailcode 3AP21 U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Electronic comments should be sent either to morris.makeba@epa.gov or to <http://www.regulations.gov>, which is an alternative method for submitting electronic comments to EPA. To submit comments, please follow the detailed instructions described in part V of the Supplementary Information section. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105; and Allegheny County Health Department, Bureau of Environmental Quality, Division of Air Quality, 301 39th Street, Pittsburgh, Pennsylvania 15201.

FOR FURTHER INFORMATION CONTACT: Ruth E. Knapp, (215) 814-2191, or by e-mail at knapp.ruth@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document wherever “we,” “us,” or “our” is used we mean EPA.

Table of Contents

- Introduction
- I. When Was This Area Designated Nonattainment for PM₁₀?
- II. What Are the Geographic Boundaries of the PM₁₀ Nonattainment area?
- III. What Are the Criteria for Redesignation?
- IV. Does the Area Meet the Criteria for Redesignation?
 - A. The Data Shows Attainment of the PM₁₀ NAAQS in the Liberty Borough Area
 - B. There Is a Fully Approved SIP Under Section 110(k) of the CAA
 - 1. Section 110 Requirements
 - 2. Part D Requirements
 - a. Subparts 1 and 4 of part D—sections 172(c) and 189(a)
 - b. Subpart 1 of part D—section 176 Conformity Provisions
 - C. The Improvement in—Air Quality Is Due to Permanent and Enforceable Measures
 - D. The Maintenance Plan Satisfies Section 175A
 - 1. Maintenance Plan Requirements
 - a. Emissions Inventory

- b. Maintenance Demonstration
- c. Commitment to Continue Monitoring Air Quality
- d. Verification of Continued Attainment
- e. Contingency Plan
- 2. Commitment to Submit Subsequent Maintenance Plan Revisions
- E. The Submittal Meets the Applicable Requirements of Section 110 and Part D
- V. Proposed Action
- VI. Statutory and Executive Order Reviews

Introduction

Under the CAA, EPA may redesignate nonattainment areas to attainment if sufficient data are available to warrant such changes and the area meets the criteria contained in section 107(d)(3) (E). This includes full approval of a maintenance plan for the area. EPA may approve a maintenance plan which meets the requirements of section 175A. On October 28, 2002, the PADEP, on behalf of the ACHD, submitted a redesignation request and maintenance plan for the Liberty Borough moderate PM₁₀ nonattainment area. EPA is proposing to redesignate the Liberty Borough area from nonattainment to attainment of the PM₁₀ NAAQS. We are also proposing to approve the maintenance plan required under section 175A maintenance plan. Once approved the maintenance plan will become part of the Pennsylvania SIP for this area.

I. When Was This Area Designated Nonattainment for PM₁₀?

On November 15, 1990, the CAA amendments were enacted. Pursuant to section 107(d)(4)(B), the Liberty Borough area in Allegheny County, Pennsylvania was designated nonattainment by operation of law. The nonattainment designation and classification as a moderate PM₁₀ area was codified in 40 CFR part 81 on November 6, 1991 (56 FR 56694).

II. What Are the Geographic Boundaries of the PM₁₀ Nonattainment Area?

The Liberty Borough nonattainment area is comprised of the municipalities of Liberty Borough, the Borough of Lincoln, Port Vue Borough, the Borough of Glassport and the City of Clairton.

III. What Are the Criteria for Redesignation?

Section 107(d)(3)(E) of the CAA specifies five requirements that must be met to redesignate an area from nonattainment to attainment as follows:

- (1) The area has attained the applicable NAAQS;
- (2) The area has a fully approved SIP under section 110(k);