

meeting the enforceability requirements on September 22, 1994 and May 30, 1996. 59 FR 48582 and 61 FR 27019. The Tier II Operating Permits are issued under federally-approved IDAPA 58.01.01 and are enforceable because they contain provisions that would result in penalties for not meeting the terms and conditions limiting particulate matter. Accordingly, Idaho can reasonably attribute improvement in air quality to emission reductions from these permanent and enforceable measures. Finally, with respect to economic trends, with the Ada County/Boise, Idaho area currently one of the fastest growing metropolitan regions in the nation, it is unlikely that air quality improvements are due to this factor. Even though the economic trend is positive, air quality improvements can still be expected because of the control measures that are in place in combination with motor vehicle technology improvements. In short, EPA believes that Idaho DEQ has demonstrated air quality improvements are the result of permanent enforceable emission reductions and not a result of economic trends or meteorological conditions and has met the enforceability requirements of Section 175.

10. Has the State Met All the Planning Requirements Applicable to This Area?

The September 1992 Calcagni memorandum directs states to meet all of the applicable Section 110 and Part D planning requirements for redesignation purposes. Thus, EPA interprets the Act to require state adoption and EPA approval of the applicable programs under Section 110 and Part D that were due prior to the submission of a redesignation request, before EPA may approve a redesignation request. How the State has met these requirements is discussed below.

11. How Does the State Meet Section 110 Requirements?

Section 110(a)(2) of the Act contains general requirements for nonattainment plans. These requirements include, but are not limited to, submission of a SIP that has been adopted by the State after reasonable notice and public hearing; provisions for establishment and operation of appropriate apparatus, methods, systems and procedures necessary to monitor ambient air quality; implementation of a permit program; provisions for Part C—Prevention of Significant Deterioration (PSD) and Part D—New Source Review (NSR) permit programs; criteria for stationary source emission control measures, monitoring and reporting,

provisions for modeling; and provisions for public and local agency participation. See the General Preamble for further explanation of these requirements. 57 FR 13498 (April 16, 1992).

For purposes of redesignation, review of the Idaho SIP shows that the State has satisfied all requirements under the Act. Further, in 40 CFR 52.673, EPA has approved Idaho's SIP for the attainment and maintenance of the national standards under Section 110.

12. How Does the State Meet Part D Requirements?

Part D consists of general requirements applicable to all areas which are designated nonattainment based on a violation of the NAAQS. The general requirements are followed by a series of subparts specific to each pollutant. All PM₁₀ nonattainment areas must meet the applicable general provisions of Subpart 1 and the specific PM₁₀ provisions in Subpart 4, "Additional Provisions for Particulate Matter Nonattainment Areas." The following paragraphs discuss these requirements as they apply to the Ada County/Boise, Idaho area.

13. How Does the State Meet the Section 172(c) Plan Provisions Requirements?

Subpart 1, section 172(c) contains general requirements for nonattainment plans. A thorough discussion of these requirements may be found in the General Preamble. 57 FR 13538 (April 16, 1992). The requirements for reasonable further progress, identification of certain emissions increases, and other measures needed for attainment were satisfied with the initial attainment plan for the Ada County/Boise, Idaho area. The requirement for an emission inventory is satisfied by the completion of the inventory required for the maintenance plan. The requirements of the Part D New Source Review (NSR) program will be replaced by the Part C Prevention of Significant Deterioration (PSD) program for PM₁₀ upon the effective date of this redesignation action. The federally-approved PSD regulations for Idaho can be found at IDAPA 16.01.012,07, as incorporated by reference by EPA on July 28, 1982 (47 FR 32531), and most recently amended on January 16, 2003 (68 FR 2217).

14. How Does the State Meet Subpart 4 Requirements?

Part D, Subpart 4, Section 189(a), (c) and (e) requirements apply to any moderate nonattainment area before the area can be redesignated to attainment. The requirements which were

applicable prior to the submission of the request to redesignate the area must be fully approved into the SIP before redesignating the area to attainment. These requirements are discussed below:

(a) Provisions to assure that RACM was implemented by December 10, 1993;

(b) Either a demonstration that the plan provided for attainment as expeditiously as practicable but not later than December 31, 1994, or a demonstration that attainment by that date was impracticable;

(c) Quantitative milestones which were achieved every 3 years and which demonstrate reasonable further progress (RFP) toward attainment by December 31, 1994; and

(d) Provisions to assure that the control requirements applicable to major stationary sources of PM₁₀ also apply to major stationary sources of PM₁₀ precursors, except where the Administrator determined that such sources do not contribute significantly to PM₁₀ levels which exceed the NAAQS in the area.

As previously stated, EPA approved the 1991 PM₁₀ SIP for the Ada County/Boise, Idaho area containing the elements meeting requirements (a) through (d) above on May 30, 1996 (61 FR 27019). Other requirements were due at a later date.

States with PM₁₀ nonattainment areas were required to submit a permit program for the construction and operation of new and modified major stationary sources of PM₁₀ by June 30, 1992. States also were to submit contingency measures by November 15, 1993, which become effective without further action by the State or EPA, upon a determination by EPA that the area has failed to achieve RFP or to attain the PM₁₀ NAAQS by the applicable statutory deadline. See Sections 172(c)(9) and 189(a) and 57 FR 13543–13544.

Idaho has presented an adequate demonstration that it has met the requirements applicable to the area under Section 110 and Part D. The Part D NSR rules for PM₁₀ nonattainment areas in Idaho were approved by EPA on July 23, 1993 (58 FR 39445) and amended provisions were approved by EPA on January 16, 2003 (68 FR 2217). The Clean Air Act requires that contingency measures take effect if the area fails to meet reasonable further progress requirements or fails to attain the NAAQS by the applicable attainment date. The Ada County/Boise, Idaho area attained the NAAQS for PM₁₀ by the applicable attainment date of December 31, 1994 (*i.e.*, the average