

## BANNING PASS AREA

	Ozone		CO		PM-10		NO <sub>2</sub>	SO <sub>2</sub>
	Designation	Classification	Designation	Classification	Designation	Classification	Designation	Designation
Current .....	Non-attainment (area is part of SE Desert Modified AQMA Area).	Severe 17 .....	Unclassifiable/Attainment (part of SE Desert Air Basin, Riverside County, AQMA portion).	N/A .....	Non-attainment (part of Riverside County, Coachella Valley planning area).	Serious .....	Cannot be classified or better than national standards (part of Riverside County, non-AQMA portion).	Cannot be classified (part of SE Desert Air Basin, excluding Imperial County).
Proposed .....	Non-attainment (area becomes part of South Coast Air Basin).	Extreme .....	Non-attainment (area becomes part of South Coast Air Basin).	Serious .....	Non-attainment (area becomes part of South Coast Air Basin).	Serious .....	Cannot be classified or better than national standards (area becomes part of South Coast Air Basin).	Cannot be classified (area becomes part of South Coast Air Basin).

We believe that Banning is more similar to the South Coast than the Coachella area, and that it would support efficient planning and control to move the federal boundary of the South Coast Air Basin eastward to encompass the Banning Pass area.

*C. Revision to the Southeast Desert Ozone Nonattainment Boundary to Align It's Eastern Border With the Coachella Valley PM-10 Nonattainment Boundary*

At present, the boundary of the Coachella Valley portion of the Southeast Desert ozone nonattainment area is different from the boundary of the Coachella Valley nonattainment area for PM-10. The existing ozone nonattainment area boundary differs from the Riverside portion of the Southeast Desert Air Basin boundary by: (1) Excluding a sparsely populated, 550 square mile portion of the Coachella Valley area, and (2) including a tiny portion of the Southeast Desert Air Basin. The State has proposed to align the Coachella Valley nonattainment area boundaries by using for all pollutants the boundary of the Coachella Valley nonattainment area for PM-10. This boundary tracks the mountain ridge line that separates the air basins and thus reflects air quality considerations. The change will simplify and make more consistent the planning activities for ozone and PM-10, and will reconcile boundaries for Federal and State planning purposes. As a result of the change, a sparsely-populated mountainous area above the Coachella Valley would shift from an ozone attainment area to a nonattainment area, with a severe-17 classification.

We agree with the State's argument that it is appropriate to align the federal boundaries of the Coachella Valley portion of the Southeast Desert Air

Basin ozone nonattainment area to match the Coachella Valley PM-10 nonattainment area.

*D. Typographical Correction to the Boundaries of the South Coast Air Basin for Carbon Monoxide*

The CO boundaries of the South Coast Air Basin in 40 CFR 81.305 are incorrect because they mistakenly incorporate the following phrase: "and that portion of San Bernardino County which lies south and west of a line described as follows: 3. latitude 35 degrees, 10 minutes north and longitude 115 degrees, 45 minutes west." Neither EPA nor CARB intended the South Coast CO nonattainment area to include this portion of San Bernardino County, which was inadvertently incorporated in the designations promulgated on November 6, 1991 (56 FR 56724). California requests that we correct this typographical mistake in the original designation by deleting the portion of the boundary description quoted above. Correction of this error will result in the CO boundaries conforming to the 1-hour ozone boundaries for the South Coast Air Basin. We agree that this correction is appropriate.

**III. Summary of Proposed Action and Request for Comment**

EPA is proposing to take the following actions:

(1) Approve the State's request to revise the boundary of the South Coast Air Basin to incorporate the Banning Pass;

(2) Approve the State's request to amend the 1-hour ozone boundary of the Coachella Valley area (Riverside County portion of the Southeast Desert Air Basin to correspond to the PM-10 boundary; and

(3) Approve the State's request to make a typographical correction to the

boundary of the South Coast Air Basin with respect to CO.

Because EPA believes the proposed boundary revisions, reorganizations, and corrections are consistent with relevant requirements, we are proposing to fully approve them under CAA section 107(d)(3)(D). We will accept comments from the public on this proposal for the next 30 days. Unless we receive convincing new information during the comment period, we intend to publish a final approval of the designation changes.

**IV. Administrative Requirements**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This proposed action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule proposes to approve pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This proposed rule also does not have tribal implications because it will not