

inspection during normal business hours at the United States Environmental Protection Agency, Region 10, Office of Air Quality, 1200 Sixth Avenue, Seattle, WA.

FOR FURTHER INFORMATION CONTACT:

Steven K. Body, State and Tribal Programs Unit, Office of Air Quality, (OAQ-107), EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101, Telephone number: (206) 553-0782, or e-mail address: body.steve@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, wherever "we," "us," or "our" is used, we mean the EPA. Please note that if EPA receives relevant adverse comment on an amendment, paragraph or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of a relevant adverse comment.

Table of Contents

- I. What Is The Purpose of This Action?
- II. Why Was Klamath Falls Designated Nonattainment?
- III. How Can a Nonattainment Area be Redesignated to Attainment?
- IV. Did the State Follow Appropriate Administrative Procedures Before Submitting All the Relevant Material to EPA?
- V. Evaluation of the Redesignation Request and Maintenance Plan
 - A. The Area Must Have Attained the PM-10 NAAQS
 - B. The Area Must Have Met All Applicable Requirements Under Section 110 and Part D
 - C. Clean Air Act (CAA) Section 110 Requirements
 - D. Part D Requirements
 - E. Section 172(c)(3)—Emissions Inventory
 - F. Section 172(c)(5)—New Source Review (NSR)
 - G. Section 172(c)(7)—Compliance With CAA Section 110(a)(2): Air Quality Monitoring Requirements
 - H. The Area Must Have a Fully Approved SIP Under Section 110(k) of the CAA
 - I. The Area Must Show the Improvement in Air Quality is Due to Permanent and Enforceable Emission Reductions
 - J. The Area Must Have a Fully Approved Maintenance Plan Under CAA Section 175A
 - K. Emissions Inventory—Attainment Year
 - L. Demonstration of Maintenance
 - M. Monitoring Network and Verification of Continued Attainment
 - N. Contingency Plan
 - O. Transportation Conformity
- VI. Final Action
- VII. General Information
- VIII. Statutory and Executive Order Reviews

I. What Is the Purpose of This Action?

EPA is approving the Klamath Falls PM-10 Maintenance Plan and redesignating the Klamath Falls PM-10 nonattainment area to attainment.

Klamath Falls is a city in south central Oregon with a population of approximately 40,000. In the late 1980's Klamath Falls recorded some of the highest PM-10 concentrations in the country.

II. Why Was Klamath Falls Designated Nonattainment?

On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted (Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q). Under section 107(d)(1)(C) of the Clean Air Act (CAA), the Klamath Falls, Oregon, area was designated nonattainment for PM-10 by operation of law because the area had been designated a Group I planning area before November 15, 1990. Group I planning areas were identified on August 7, 1987. See 52 FR 29383. On October 31, 1990, EPA clarified the description of certain Group I planning areas, including the Klamath Falls area. See 55 FR 45799. These areas were called "initial PM-10 nonattainment areas." On March 15, 1991, EPA announced these areas and classified them as moderate PM-10 nonattainment areas. See 56 FR 11101.

III. How Can a Nonattainment Area Be Redesignated to Attainment?

Nonattainment areas can be redesignated to attainment after the area has measured air quality data showing it has attained the NAAQS and when certain planning requirements are met. Section 107(d)(3)(E) of the CAA, and the General Preamble to Title I (57 FR 13498) provide the criteria for redesignation. These criteria are further clarified in a policy and guidance memorandum from John Calcagni, September 4, 1992, *Procedures for Processing Requests to Redesignate Areas to Attainment*. The criteria for redesignation are:

- (1) The Administrator determines that the area has attained the relevant national ambient air quality standard;
- (2) the Administrator has fully approved the applicable implementation plan for the area under section 110(k) of the Act;
- (3) the Administrator determines that the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan, applicable Federal air pollution control regulations, and other permanent and enforceable reductions;
- (4) the Administrator has fully approved a maintenance plan for the area as meeting the requirements of CAA section 175A; and

(5) the State containing the area has meets all requirements applicable to the area under section 110 and part D of the CAA.

Before an area can be redesignated to attainment, all applicable State Implementation Plan (SIP) elements must be fully approved. The following is a summary of EPA's analysis and conclusion regarding the maintenance plan of Klamath Falls and the State's redesignation request. Additional detail regarding EPA's review and analysis may be found in the technical support document which is located in the public docket for this action.

IV. Did the State Follow Appropriate Administrative Procedures Before Submitting All the Relevant Material to EPA?

The CAA requires States to follow certain procedural requirements for submitting SIP revisions to EPA. Section 110(a)(2) of the CAA requires that each SIP revision be adopted by the State after reasonable notice and public hearing. The State then submits the SIP revision to EPA.

The Oregon Department of Environmental Quality (ODEQ), which has regulatory authority for sources of air pollution in the Klamath Falls PM-10 nonattainment area, developed the PM-10 maintenance plan. On May 20, 2002, ODEQ notified the public of the public hearing on the plan in the *Herald and News*, Klamath Falls, Oregon. On June 25, 2002, ODEQ held the public hearing at the Klamath Falls City Hall, Council Chambers. On October 4, 2002, the State of Oregon adopted *A Plan for Maintaining the National Ambient Air Quality Standards for Particulate Matter (PM-10) in Klamath Falls Urban Growth Boundary Section 4.56 of the State Implementation Plan*. On November 4, 2002, the State submitted the redesignation request and maintenance plan to EPA.

The State meets the requirements for reasonable notice and public hearing under section 110(a)(2) of the CAA.

V. Evaluation of the Redesignation Request and Maintenance Plan

A. The Area Must Have Attained the PM-10 NAAQS

Section 107(d)(3)(E)(i) of the CAA requires that the Administrator determine that the area has attained the applicable NAAQS. The primary 24-hour NAAQS for Particulate Matter with an aerodynamic diameter equal to or less than 10 micrometers (PM-10) is 150 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) for