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**SUPPLEMENTARY INFORMATION:** Elsewhere in this **Federal Register**, we are proposing approval and soliciting written comment on this action. Throughout this document, the words "we," "us," or "our" mean U.S. EPA.

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**I. Summary of Action**

We are approving the maintenance plan for the Ajo SO<sub>2</sub> nonattainment area.<sup>1</sup> We are also approving the State of Arizona's request to redesignate the Ajo area from nonattainment to attainment for the primary SO<sub>2</sub> NAAQS.

**II. Introduction**

*A. What National Ambient Air Quality Standards Are Considered in Today's Rulemaking?*

Sulfur dioxide (SO<sub>2</sub>) is the pollutant that is the subject of this action. The NAAQS are health-based and welfare-based standards for certain ambient air pollutants. SO<sub>2</sub> is among the ambient air

pollutants for which we have established a health-based standard.

SO<sub>2</sub> causes adverse health effects by reducing lung function, increasing respiratory illness, altering the lung's defenses, and aggravating existing cardiovascular disease. Children, the elderly, and people with asthma are the most vulnerable. SO<sub>2</sub> has a variety of additional impacts, including acidic deposition, damage to crops and vegetation, and corrosion of natural and man-made materials.

There are both short- and long-term primary NAAQS for SO<sub>2</sub>. The short-term (24-hour) standard of 0.14 parts per million (ppm) is not to be exceeded more than once per year. The long-term standard specifies an annual arithmetic mean not to exceed 0.030 ppm.<sup>2</sup> The primary standards were established in 1972. (See 40 CFR 50.4).

*B. What Is a State Implementation Plan?*

The CAA requires states to attain and maintain ambient air quality equal to or better than the NAAQS. The state's commitments for attaining and maintaining the NAAQS are outlined in the State Implementation Plan (or SIP) for that state. The SIP is a planning document that, when implemented, is designed to ensure the achievement of the NAAQS. Each state currently has a SIP in place, and the Act requires that SIP revisions be made periodically as necessary to provide continued compliance with the standards.

SIPs include, among other things, the following: (1) An inventory of emission sources; (2) statutes and regulations adopted by the state legislature and executive agencies; (3) air quality analyses that include demonstrations that adequate controls are in place to meet the NAAQS; and (4) contingency measures to be undertaken if an area fails to attain the standard or make reasonable progress toward attainment by the required date.

The state must make the SIP available for public review and comment through a public hearing, it must be adopted by the state, and submitted to us by the Governor or her/his designee. We take federal action on the SIP submittal, thus rendering the rules and regulations federally enforceable. The approved SIP serves as the state's commitment to take actions that will reduce or eliminate air quality problems. Any subsequent revisions to the SIP must go through the

formal SIP revision process specified in the Act.

*C. What Is the Background for This Action?*

**1. When Was the Nonattainment Area Established?**

Phelps Dodge Mining Company's Ajo Incorporated (PDAI) operation was the largest point source in the Ajo nonattainment area. The PDAI copper smelter was situated at the eastern end of the Little Ajo Mountains.

On March 3, 1978, at 43 FR 8968, for lack of a state recommendation, we designated Pima County as a primary SO<sub>2</sub> nonattainment area based on monitored violations of the primary SO<sub>2</sub> NAAQS in the area between 1975 and 1977. At the request of the Arizona Department of Environmental Quality (ADEQ), the nonattainment area was subsequently reduced to five townships in and around Ajo on April 10, 1979 (44 FR 21261). As a result, townships T11S, R6W; T11S, R5W; T12S, R6W; T12S, R5W; and T13S, R6W make up the nonattainment area. Townships T11S, R7W; T12S, R7W; T13S, R7W; and T13S, R5W are classified as "cannot be classified" areas.

On the date of enactment of the 1990 CAA Amendments, SO<sub>2</sub> areas meeting the conditions of section 107(d) of the Act, including the pre-existing SO<sub>2</sub> nonattainment areas, were designated nonattainment for the SO<sub>2</sub> NAAQS by operation of law. Thus, the Ajo area remained nonattainment for the primary SO<sub>2</sub> NAAQS following enactment of the 1990 CAA Amendments on November 15, 1990.

**2. How Has the SIP Addressed CAA Provisions?**

Arizona submitted a state implementation plan (SIP) for all major sources in the State in January 1972. EPA disapproved the portion of the 1972 Arizona SIP related to smelters (37 FR 10849 and 37 FR 15081) on May 31 and July 27, 1972. On November 30, 1981 EPA proposed conditional approval of Arizona's Multipoint Rollback (MPR) SIP revision (46 FR 58098). On June 3, 1982, Arizona submitted SIP revisions to correct the conditional approval. EPA formally approved Arizona's revised MPR Rule as a final rulemaking on January 14, 1983 (48 FR 1717). To complete the Arizona SO<sub>2</sub> SIPs, EPA required that Arizona submit the necessary fugitive emissions control strategies and regulations for existing smelters by August 1, 1984.

<sup>1</sup> For the definition of the Ajo nonattainment area, see 40 CFR 81.303. EPA designated the entire area of Pima County as nonattainment for SO<sub>2</sub> on March 3, 1978 for lack of a State recommendation. EPA approved the State's request that the SO<sub>2</sub>-affected portion of Pima County be limited to the townships surrounding Ajo on April 10, 1979 (44 FR 21261). Townships T11S, R6W; T11S, R5W; T12S, R6W; T12S, R5W; and T13S, R6W comprise the nonattainment area. Townships T11S, R7W; T12S, R7W; T13S, R5W; and T13S, R7W are designated as "cannot be classified." Ajo is a town in Pima County in the southwestern portion of Arizona.

<sup>2</sup> The secondary SO<sub>2</sub> NAAQS (3-hour) of 0.50 ppm is not to be exceeded more than once per year. Secondary NAAQS are promulgated to protect welfare. The Ajo area is not classified nonattainment for the secondary standard, and this action relates only to the primary NAAQS.