

TABLE 3.—2000–2002 OZONE AIR QUALITY DATA FOR EARLY ACTION COMPACT COUNTIES—Continued

State	Compact area	County	2000–2002 Ozone design value, ppb ozone
NM .....	San Juan County (Farmington area—not a MSA, but a southeast segment is adjacent to Albuquerque MSA).	San Juan County .....	76
<b>EPA Region 8</b>			
CO .....	Denver (part of Denver-Boulder-Greeley MSA) .....	Denver County* .....	72
		Boulder County* (excluding Rocky Mtn National Park).	73
		Jefferson County* .....	83
		Douglas County* .....	80
		City/County of Broomfield* (a new county downtown).	
		Adams* and Arapahoe* Counties (the part west of Kiowa Creek) (excludes extreme eastern portions of counties).	64, 76

**Note:** The air quality information in this table is based on 2000–2002 data from monitors (where available) located in each county of a compact area. Ozone designations in April 2004 will be based on 2001–2003 data. The boundaries of these compact areas will not necessarily correspond to the boundaries for the 8-hour ozone nonattainment areas that will be designated in April 2004. An ozone design value of 85 ppb or greater indicates a violation of the 8-hour ozone standard. A single asterisk following a county name means that county is included in a Consolidated/Metropolitan Statistical Area (C/MSA). In a few counties, higher historical design values (indicated by double asterisks) are also listed when 2000–2002 design values are not complete at a monitoring site. A blank in the last column means either no monitor is located in the county or the monitor(s) in the county have recorded less than 3 years of data.

## VII. What Are the Impacts of This Action?

This section discusses the effect of this proposed rule on compact areas, including the regulatory effects and the consequences of participation in these compacts.

### A. What Are the Regulatory Effects of This Action?

Since the effective date of the nonattainment designation would be deferred for compact areas that are violating the 8-hour standard, all CAA requirements for the 8-hour standard

that would apply to an area designated nonattainment for that standard, such as new source review (NSR) and transportation conformity, would not apply during the deferral period.

In April 2004, the Agency will designate areas as nonattainment based on 2001–2003 air quality monitoring data. However, based on 2000–2002 data, we do know that of those compact areas that are violating the 8-hour ozone standard, most are very close to the standard. We believe many of these areas, if their nonattainment designations were not deferred, would be classified under subpart 1 of the

CAA, if EPA adopted its preferred classification scheme described in the June 2, 2003 proposed rule to implement the 8-hour ozone standard (68 FR 32866). Table 4 is a summary of the requirements that would apply if compact areas do not receive a deferred nonattainment effective date and instead become classified under subpart 1. Providing information about subpart 1 requirements in this notice does not imply that we have decided not to adopt our proposed classification option 1, which would have placed all areas under subpart 2.

TABLE 4.—SUBPART 1 NONATTAINMENT AREA REQUIREMENTS

Achieve attainment as expeditiously as practicable, but no later than 5 years after designation. EPA may grant an additional 5-year extension under certain circumstances.

Reasonable Further Progress (RFP).

Reasonably Available Control Measures requirement.

Attainment demonstration.

Major source definition of 100 tons per year or more for NSR and Reasonably Available Control Technology.

NSR offset ratio of greater than 1 to 1.

NSR permit program.

Emissions inventory.

Transportation conformity.

Contingency measures to take effect in the event of failure to show RFP or to attain.

Conversely, with a deferred effective date, a compact area would not be subject to the requirements listed above, as long as the area continues to meet all

of its milestones as described in Section V, Table 1, of this notice.<sup>10</sup>

<sup>10</sup>Note that compact areas that have maintenance plans for any other NAAQS, including the ozone 1-hour standard, are still subject to the requirements in the maintenance plan, such as contingency measures. In addition, transportation conformity

### B. What Are the Consequences of Compacts for Local Areas?

In addition to the benefit of early reductions, there are other

would continue to apply for such areas for the 1-hour standard and any other applicable standards.