NMEIB on July 8, 1988), and July 16, 1990 (as revised and adopted by the NMEID on March 9, 1990), Air Quality Control Regulation 707—Permits, Prevention of Significant Deterioration (PSD) and its Supplemental document, is approved as meeting the requirements of part C, Clean Air Act for preventing significant deterioration of air quality.

(b) The requirements of section 160 through 165 of the Clean Air Act are not met for Federally designated Indian lands. Therefore, the provisions of § 52.21 (b) through (w) are hereby incorporated by reference and made a part of the applicable implementation plan, and are applicable to sources located on land under the control of Indian governing bodies.

(c) The plan submitted by the Governor in paragraph (a) of this section for Prevention of Significant Deterioration is not applicable to Bernalillo County. Therefore, the following plan described below is applicable to sources located within the boundaries of Bernalillo County (including the City of Albuquerque). This plan, submitted by the Governor of New Mexico on April 14, 1989, August 7, 1989, May 1, 1990, and May 17, 1993, and respectively adopted on March 8, 1989, July 12, 1989, April 11, 1990, and February 10, 1993, by the Albuquerque/Bernalillo County Air Quality Control Board, containing Regulation 29—Prevention of Significant Deterioration and its April 11, 1990, Supplemental document, is approved as meeting the requirements of part C of the Clean Air Act for the prevention of significant deterioration of air quality.

4. Section 52.1636 is revised to read as follows:

§ 52.1636 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met for the State of New Mexico, outside the boundaries of Bernalillo County, because the plan does not include approvable procedures meeting the requirements of 40 CFR 51.305 and 51.307 for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility monitoring and new source review. The provisions of §§ 52.21, 52.27, and 52.28 are hereby incorporated and made part of the applicable plan for the State of New Mexico, outside the boundaries of Bernalillo County.

(c) Long-term strategy. The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of New Mexico, outside the boundaries of Bernalillo County.

[FR Doc. 93–31038 Filed 12–20–93; 8:45 am]
BILLING CODE 6560–50–P

40 CFR Part 81

[FRL–4686–4]

Designation of Areas for Air Quality Planning Purposes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to section 107(d)(3) of the Clean Air Act (Act), EPA is taking final action to redesignate areas (or portions thereof) as nonattainment for the PM–10 (particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers) and sulfur dioxide (SO_2) national ambient air quality standards (NAAQS). The EPA is taking action to redesignate these areas as nonattainment due to violations of the NAAQS for these pollutants. The Act requires that the States containing such nonattainment areas develop plans to expeditiously bring the areas into attainment with the NAAQS for both pollutants.

EFFECTIVE DATE: January 20, 1994.

ADDRESSES: Information supporting today's action can be found in Public Docket No. A–92–22. The docket is located at the U.S. EPA Air Docket, Room M–1500, Waterside Mall, LE–131, 401 M Street SW., Washington, DC 20460. The docket may be inspected from 8:30 a.m. to 12 noon and from 1:30 p.m. to 3:30 p.m. on weekdays, except for legal holidays. A reasonable fee may be charged for copying. In addition, the public may inspect information pertaining to a particular area at the respective EPA Regional Office which serves the State where the affected area is located.

FOR FURTHER INFORMATION CONTACT: Larry Wallace (PM–10), SO_2/Particulate Matter Programs Branch, Air Quality Management Division (MD–15), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541–0906.

SUPPLEMENTARY INFORMATION: The contacts and addresses of the Regional Offices are:

Regional offices	States
William S. Baker, Chief, Air Programs Branch, EPA Region II, 26 Federal Plaza, New York, New York 10278, (212) 264–2517.	New York.
Marcia Spink, Chief, Air Programs Branch, EPA Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107, (215) 597–9075.	District of Columbia, Pennsylvania, and West Virginia.
Stephen H. Rothblatt, Chief, Air and Radiation Branch, EPA Region V, 77 West Jackson Street, Chicago, Illinois 60604, (312) 353–2211.	Illinois
Gerald Fontenot, Chief, Air Programs Branch, EPA Region VI, 1445 Ross Avenue, Dallas, Texas 75202–2733, (214) 655–7205.	New Mexico.
Douglas M. Skie, Chief, Air Programs Branch, EPA Region VIII, 999 18th Street, Denver Place—suite 500, Denver, Colorado 80202–2405, (303) 293–1750.	Colorado, Montana.
David L. Calkins, Chief, Air Programs Branch, EPA Region IX, 75 Hawthorne Street, San Francisco, California 94105, (415) 744–1219.	California, Arizona.
George Abel, Chief, Air Programs Branch, EPA Region X, 1200 Sixth Avenue, Seattle, Washington 98101, (206) 442–1275.	Idaho, Oregon, and Washington.

I. General

The EPA is authorized to redesignate areas (or portions thereof) as nonattainment for PM–10 and SO_2 pursuant to section 107(d)(3) of the Act,[1] on the basis of air quality data, planning and control considerations, or any other air quality-related considerations that the Administrator deems appropriate.

Following the process outlined in section 107(d)(3), in January and February of 1991, EPA notified the Governors of the affected States that EPA believed certain areas should be redesignated as nonattainment for PM–10 and SO_2. The EPA identified those areas in a **Federal Register** notice published on April 22, 1991 (56 FR 16274). Under section 107(d)(3)(B) of the Act, the Governors of each of the affected States were required to submit to EPA the designations that he or she considered appropriate for each area in question no later than 120 days after notification. However, for reasons of administrative efficiency, the EPA requested the States to submit the designations by March 15, 1991, (the date the lists of designations for all ozone and carbon monoxide areas were due from the Governor of each State pursuant to section 107(d)(4)(A) of the Act). Under section 107(d)(3)(C) of the

[1] References herein are to the Clean Air Act, as amended (1990 Amendments). The Clean Air Act is codified, as amended, in the U.S. Code at 42 U.S.C. 7401, *et seq.*

Act, EPA promulgates the redesignation submitted by the State, making such modifications as EPA may deem necessary. The EPA proceeded to propose redesignation to nonattainment for many PM–10 and SO_2 areas where such action was not inconsistent with the recommendations of the affected State (see 57 FR 43846, September 22, 1992). The EPA is taking final action as proposed, except for the changes described below which were made in response to public comments.

Section 107(d)(1)(A) of the Act sets out definitions of nonattainment, attainment, and unclassifiable. A nonattainment area is defined as any area that does not meet, or that significantly contributes to ambient air quality in a nearby area that does not meet, the national primary or secondary ambient air quality standard for the relevant pollutant[2] (see section 107(d)(1)(A)(i)). Thus, in determining the appropriate boundaries for the nonattainment areas addressed in today's final rule, EPA has considered not only areas where violations of the relevant NAAQS have been monitored and/or modeled, but also nearby areas which significantly contribute to such violations.

II. Today's Action

A. PM–10

On July 1, 1987, EPA revised the NAAQS for particulate matter (52 FR 24634), replacing total suspended particulates as the indicator for particulate matter with a new indicator called PM–10 that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers. At the same time, EPA set forth regulations for implementing the revised particulate matter standards and announced EPA's State implementation plan (SIP) development policy elaborating PM–10 control strategies necessary to ensure attainment and maintenance of the PM–10 NAAQS (see 52 FR 24672). The EPA adopted a PM–10 SIP development policy dividing all areas of the country into three categories based upon their probability of violating the new NAAQS: (1) Areas with a strong likelihood of violating the new PM–10 NAAQS, and requiring substantial SIP adjustment, were placed in Group I; (2) areas which may have been attaining the PM–10 NAAQS, and whose existing SIP's most likely needed less adjustment, were placed in Group II; (3) areas with a strong likelihood of attaining the PM–10 NAAQS and, therefore, needing adjustments only to their preconstruction review program and monitoring network, were placed in Group III (52 FR 24672, 24679–24682).

Pursuant to sections 107(d)(4)(B) and 188(a) of the Act, areas previously identified as Group I (55 FR 45799, October 31, 1990) and other areas which had monitored violations of the PM–10 NAAQS prior to January 1, 1989 were, by operation of law upon enactment of the 1990 Clean Air Act Amendments (Pub. L. No. 101–549, 104 Stat. 2399), designated nonattainment and classified as moderate for PM–10. Formal codification in 40 CFR part 81 of those areas was announced in a **Federal Register** notice dated November 6, 1991 (56 FR 56694) (see also 57 FR 56762, November 30, 1992). All other areas of the country were designated unclassifiable for PM–10 by operation of law upon enactment of the 1990 Amendments (see section 107(d)(4)(B)(iii) of the Act).

In January and February of 1991, EPA notified the Governors of those States which recorded violations of the PM–10 standard after January 1, 1989 that EPA believed that those areas should be redesignated as nonattainment for PM–10. In a **Federal Register** notice published on April 22, 1991 (56 FR 16274), EPA identified those PM–10 areas for which EPA had notified the Governors of affected States that the area's PM–10 designation should be revised to nonattainment. After notification, the Governor of each affected State was required to submit to EPA the redesignation he or she considered appropriate for each area. The EPA proceeded to propose redesignation to nonattainment 13 areas for PM–10 in the September 22, 1992 **Federal Register** notice.

Today, EPA is taking final action to redesignate as nonattainment for PM–10 10 of the areas previously proposed for redesignation in the September 22, 1992 **Federal Register** notice. The EPA is deferring action on two of the remaining areas and is no longer taking action to redesignate Bernalillo, New Mexico, to nonattainment for PM–10. The two areas that EPA is deferring action on are the following: (1) Kootenai County, Idaho (part); and (2) Benton, Franklin, and Walla Walla/Tri Counties, Washington, excluding the initial PM–10 nonattainment area of the city of Walla Walla, Washington. The EPA received comments on these areas during the 60-day public comment period provided in the September 22, 1992 **Federal Register** notice and, as a result of these comments, has decided to defer action on the areas at this time. A more detailed explanation for why EPA is deferring action on these areas is provided in the "Response to Comments" section below.

The 10 areas that EPA is taking final action on in today's notice are the following: (1) Payson, Arizona; (2) Bullhead City, Arizona; (3) Sacramento County, California; (4) San Bernadino County, California; (5) the Steamboat Springs Area Airshed, Colorado; (6) Shoshone County, Idaho (part); (7) Thompson Falls, Montana; (8) New York County, New York;[3] (9) Oakridge, Oregon; and (10) the city of Weirton, West Virginia. These 10 areas are classified as moderate PM–10 nonattainment areas by operation of law at the time of their nonattainment redesignation (see section 188(a) of the Act). Note also that the complete descriptions of the nonattainment boundaries for these 10 areas are set out in the regulatory language at the end of today's notice.

The EPA received comments concerning the redesignation of some of these areas during the public comment period provided in the September 22, 1992 **Federal Register** notice and has provided a detailed response to these comments in the "Response to comments" section below.

B. SO_2

Following the Clean Air Act Amendments of 1977, EPA published a list of areas identified by the States as nonattainment, attainment, or unclassifiable for SO_2. The 1990 Amendments provided for designations of areas based on their status immediately before enactment of the 1990 Amendments. For example, any area previously designated as not attaining the primary or secondary SO_2 NAAQS as of the date of enactment of the 1990 Amendments was designated nonattainment for SO_2 by operation of law upon enactment, pursuant to section 107(d)(1)(C)(i) of the Act. In addition, any area designated as attainment or unclassifiable (or "cannot be classified") immediately before the enactment of the 1990 Amendments was also designated as such upon the enactment of the Amendments pursuant to sections 107(d)(1)(C) (ii) and (iii) of the Act. For the current status of SO_2 areas, readers should refer to the codification tables currently set forth in 40 CFR part 81 (1991) and to any

[2] The EPA has construed the definition of nonattainment area to require some material or significant contribution to a violation in a nearby area. The Agency believes that it is reasonable to conclude that something greater than a molecular impact is required.

[3] After EPA proposed its PM–10 nonattainment redesignation for New York County, the Natural Resources Defense Council filed a petition requesting that EPA promptly proceed to final action. Today's final action disposes of that request.

subsequent modifications to those SO_2 tables that have been published in the **Federal Register** (see also 56 FR 56706, November 6, 1991).

As described above, EPA is authorized to initiate the redesignation of additional areas (or portions thereof) as nonattainment for SO_2, pursuant to section 107(d)(3) of the Act, on the basis of air quality data, planning and control considerations, or any other air quality-related considerations the Administrator may deem appropriate. The EPA believes that monitoring and/or modeling information may be used in determining the attainment status of an area and in establishing SO_2 nonattainment boundaries that are consistent with section 107(d)(1)(A)(i) of the Act.[4] As indicated previously, a nonattainment area is any area which does not meet the relevant NAAQS or which significantly contributes to a violation of the relevant NAAQS in a nearby area.

In January and February of 1991, EPA notified the Governors of the affected States that EPA believed that certain areas should be redesignated as nonattainment for SO_2 due to violations of the primary and secondary standards. In a **Federal Register** notice published on April 22, 1991 (56 FR 16274), EPA identified those SO_2 areas for which EPA had notified the Governors of affected States that an area's SO_2 designation should be revised to nonattainment. After notification, the Governor of each affected State was required to submit to EPA the redesignation he or she considered appropriate for each area. In the September 22, 1992 **Federal Register** notice, the EPA proceeded to propose redesignation of seven areas to nonattainment for SO_2.

Today, EPA is taking final action to redesignate, as nonattainment for SO_2, two of the areas previously proposed for redesignation in September 22, 1992 **Federal Register** notice. The EPA is deferring action on the remaining five areas. The five areas that EPA is deferring action on are the following: (1) Allegheny County, Pennsylvania (part); (2) the District of Columbia (General Service Administration's Central Heating Plant); (3) the District of Columbia (General Service Administration's West Heating Plant); (4) Madison County, Illinois (part); and (5) St. Clair County, Illinois (part). The EPA received comments on these areas during the 60-day public comment period provided in the September 22, 1992 **Federal Register** notice, and as a result of these comments has decided to defer action on the areas at this time. A more detailed explanation for why EPA is deferring action on these areas is provided in the comment section below.

The two areas that EPA is taking final action on in today's notice are the city of Weirton, West Virginia and Warren County, Pennsylvania (part). The EPA did not receive any adverse comments concerning the redesignation of these areas during the public comment period following the September 22, 1992 **Federal Register** notice. Therefore, EPA is taking final action as planned to redesignate these areas to nonattainment.

III. Response to Comments

In the September 22, 1992 proposal, EPA provided a 60-day comment period ending on November 23, 1992 in order to solicit public comments on all aspects of the proposal. For those areas that EPA is redesignating in today's action, EPA has responded to the public comments received and, as appropriate, made modifications in light of such comments. In certain instances, EPA is deferring redesignation of areas. Where EPA is deferring redesignation of an area, EPA will publish its final determination on the area in a separate notice and will respond to relevant public comments at that time.

A. PM–10: Arizona—Portion of Gila County

Comments were received contending that the PM–10 violations recorded in Payson were due to sources in the vicinity of the monitoring equipment. Comments were received requesting that industry in the Payson area be further evaluated to determine if compliance with the PM–10 NAAQS can be achieved through the current State permitting programs. One commenter requested that EPA delay the designation of the area as nonattainment until sufficient information became available to evaluate the extent of the problem in the area. One commenter further contended that areawide violations were not recorded which would justify a nonattainment designation for the area. This particular commenter further contended that the proposed boundaries of the nonattainment area are unwarranted and would constitute an extreme and unnecessary hardship upon the area.

The EPA notes that particulate matter sampling has been conducted in Payson since 1974. A monitor measuring total suspended particulates (TSP)[5] began operation in downtown Payson in 1974. Significant violations of the TSP NAAQS were recorded annually until 1977 when the monitoring site was relocated to the Tonto National Forest Ranger Station, 2 miles north of the original site. In 1980, the monitor was again relocated to the original site and again recorded significant annual violations of the TSP NAAQS through 1986. In 1987, PM–10 monitoring was begun and violations of both the 24 hour PM–10 NAAQS and the annual were recorded in 1989 and 1990. These violations thus provided an ample basis for proceeding with a nonattainment designation for Payson (see section 107 (d)(1)(A)(i), (d)(3) of the Act and 40 CFR 50.6).

That commenters contended that some monitors in the area have not recorded violations, and that Payson may only have a localized problem, does not change the fact that Payson has violated the PM–10 NAAQS and should therefore be designated nonattainment. Rather, these comments are relevant to the scope and nature of the PM–10 nonattainment problem. These issues are precisely what the SIP development process which follows from nonattainment designation is intended to assess and to address. This is also the case with the comments suggesting that EPA impose source specific control measures or rely on the State permitting process instead of designating the area nonattainment. The Act calls for States containing areas designated nonattainment to submit to EPA for approval a plan that will expeditiously bring the area back into attainment. During the SIP development process, comprehensive emissions inventory data will be collected and monitors and modeling will be employed to assess the scope and nature of the problem and reasonable measures will be implemented to address the problem (see, e.g., sections 189(a), 172(c), and 110(a)(2) of the Act). The Act provides for EPA review of the SIP to assess its sufficiency and to make it federally enforceable (see, e.g., sections 110(k), 302(q), and 113 of the Act).

The Arizona Department of Environmental Quality (ADEQ) conducted a special monitoring study in 1990 to, among other objectives, identify the sources (both point and area) that

[4] The EPA believes that those tools which are reasonably reliable can be used in determining, under section 107(d)(1)(A)(i) of the Act, whether an area "does not meet" or "contributes to ambient air quality in a nearby area that does not meet" the relevant NAAQS (see also 57 FR 13545, April 16, 1992).

[5] Total suspended particulates (TSP) was the original air quality indicator for the NAAQS for particulate matter. The TSP was a measurement of all particulate matter in the ambient air, regardless of size. In July 1987, EPA revised the NAAQS for particulate matter to include only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10).

contribute to the high PM–10 concentrations in Payson. The results of that study indicate that the highest PM–10 concentrations occur in the winter months and that residential wood combustion, an areawide PM–10 air quality problem, is the most significant contributor to PM–10 concentrations during this time. These results conflict with the commenters claim that the elevated PM–10 concentrations are the result of particular point sources.

Further, in January 1991, EPA provided the State of Arizona with notification that Payson should be redesignated to nonattainment and requested the State to submit the appropriate boundary description for the Payson area. The State responded in May of 1991 by designating the nonattainment boundaries EPA proposed for the Payson area in the September 22, 1992 **Federal Register** notice. The EPA has not been informed by the State that the nonattainment redesignation for the area should be changed. In redesignating an area to nonattainment, EPA accords significant deference to the State's judgment unless further information is received which indicates that modifications to the State's submittal are necessary (see, e.g., section 107(d)(3) of the Act).

Furthermore, EPA has the authority under section 110(k)(6) of the Act to correct the boundaries of a nonattainment area where, for example, SIP equivalent information submitted to EPA reveals that the previous boundaries were in error (see 56 FR 37656, notes 6–7 (August 8, 1991), and 57 FR 56762–63 (November 30, 1992)). For example, EPA would consider exercising its authority under section 110(k)(6) if the SIP development process reveals that the boundaries issued today are clearly inappropriate and other information persuasively supports a change.

Portion of Mohave County

In its proposal to redesignate a portion of Mohave County, Arizona, as nonattainment for PM–10, EPA requested information addressing whether and to what extent the Mohave Power Plant (MPP) in Laughlin, Nevada, contributes to the PM–10 nonattainment problem and the appropriateness of the proposed nonattainment boundaries for Mohave County in light of any such information (57 FR 43848). The Nevada Bureau of Air Quality (NBAQ) and the Southern California Edison Company (SCE), operators and co-owners of the Mohave Power Plant, responded to this request.

The SCE claimed that a study conducted by Desert Research Institute (DRI) indicated that MPP has a less than 1 percent impact on annual average ambient PM–10 levels in Mohave Valley and that fugitive dust emissions from construction activities contribute up to 75 percent. Similarly, NBAQ indicated that the study showed that less than 1 percent of the PM–10 measured at Bullhead City from September 1988 through 1989 was from MPP stack operations and that 75 percent was from local soil. However, NBAQ also indicated that the calculations cannot distinguish local soil dust from MPP operations from other sources of soil dust, but that MPP operations cover only a small fraction of the local area and water is applied to minimize fugitive dust.

In today's action, EPA is finalizing the Mohave County PM–10 nonattainment boundaries as proposed. However, as stated previously, EPA would consider exercising its authority under section 110(k)(6) of the Act to correct the boundaries of this nonattainment area if, for example, information obtained in the SIP development process reveals that the boundaries issued today are in error.

The EPA also received comments from SCE and NBAQ contending that the violations monitored in Mohave County were due to exceptional events and that EPA should not proceed with a designation for this area on the basis of such data.

On July 26, 1990, ADEQ informed EPA that an exceedance of the 24-hour PM–10 NAAQS was recorded in Bullhead City in 1989. The data were from a monitoring site operated by DRI for SCE. Sampling is conducted once every 6 days (see, e.g., section 3.1 of 40 CFR part 50, appendix K). Additionally, ADEQ reported that the annual PM–10 NAAQS was violated in 1989. In its letter to EPA, ADEQ stated that although it had no input into the selection of the monitoring site, based on its observations, the site appeared to be representative of the central Bullhead City area. Further, ADEQ reviewed a summary of DRI's quality assurance program and found it to be satisfactory.

The NBAQ claimed that there were elevated wind speeds on 2 days when the 24-hour NAAQS exceedances occurred, as well as construction sources that contributed to elevated values. The SCE contended that the annual PM–10 exceedance in 1989 was an exceptional event caused by increased construction activities and that strong winds that created dust storms contributed to the 24-hour NAAQS exceedance in 1991.

Section 2.4 of 20 CFR part 50, appendix K, has been partially superseded by the changes made to the Act in the 1990 Amendments (see section 193 of the Act). Section 2.4 defines an exceptional event as an uncontrollable event caused by natural sources of particulate matter or an event that is not expected to recur at a given location.

The 1990 Amendments added section 188(f) to the Act which authorizes the waiver of certain PM–10 requirements based on the nonanthropogenic contribution to the PM–10 problem in the area (see draft guidance announced in 57 FR 31477, July 16, 1992). The premise of section 188(f) is that areas having a nonanthropogenic contribution to the PM–10 problem will be designated nonattainment. In fact, this provision would be meaningless if EPA did not designate areas on this basis.[6] Thus, recurrence alone, and not the source of the exceedance, remains relevant in determining whether an exceedance qualifies as an "exceptional event" under section 2.4.

The commenters did not provide supporting information or data showing that the high winds and construction activities did, in fact, have a direct causal nexus to the PM–10 NAAQS exceedances or, if so, the magnitude of the contribution from these sources [see *Citizens for Clean Air* v. *EPA*, 959 F.2d 839, 846–48 (9th Cir. 1992) (upholding EPA's rejection of public comments that were not accompanied with specific supporting information)]. Further, the comments simply asserted that these activities were exceptional. The comments did not address the likelihood of the recurrence of these activities. The commenters did not demonstrate that elevated winds alleged to have contributed to the exceedances are unlikely to recur. In fact, the SIP development process is intended to prevent exceedances from anthropogenic activities such as construction by providing for planning by the State and local community to help ensure such activities adequately mitigate their contribution to PM–10 air quality problems. Accordingly, EPA believes that the available air quality data provide an ample basis to proceed with a nonattainment designation for the Bullhead City area. Further, the

[6] See *U.S.* v. *Nordic Village, Inc.*, 112 S.Ct. 1011, 1015 (1992) (rejecting a statutory interpretation that "violates the settled rule that a statute must, if possible, be construed in a fashion that every word has some operative effect") (citation omitted); *Boisie Cascade Corp.* v. *EPA*, 942 F.2d 1427, 1432 (9th Cir. 1992) ("[u]nder accepted canons of statutory interpretation, we must interpret statutes as a whole, giving effect to each word and making every effort not to interpret a provision in a manner that renders other provisions of the same statute inconsistent, meaningless or superfluous") (citation omitted).

State of Arizona has recommended that EPA redesignate this area as nonattainment for PM–10 (see section 107(d)(3)(C) of the Act).

California—Sacramento County

The EPA received a comment contending that the PM–10 concentrations of 155 μg/m³ measured at the Stockton Boulevard monitoring site in 1989, and a measured exceedance of 153 μg/m³ at the Citrus Heights site in 1990, were both marginal exceedances of the NAAQS for PM–10, and should not be used as a basis for redesignating Sacramento County to nonattainment.

Pursuant to 40 CFR, part 50, appendix K, an exceedance is defined as a value which is measured above the level of the 24-hour standard after rounding to the nearest 10 μg/m³ (i.e., values ending in 5 or greater are rounded up). Therefore, the PM–10 concentration of 153 μg/m³ measured at the Citrus Heights site would not be considered as an exceedance of the PM–10 NAAQS. However, the PM–10 concentration of 155 μg/m³ is considered to be an exceedance of the PM–10 NAAQS. The exceedance was measured according to an EPA reference method and therefore should be considered valid.

Further, the contention that the measured exceedance is marginal is without validity. The PM–10 NAAQS specify a level of air quality, the attainment and maintenance of which, based on air quality criteria reflecting the latest scientific knowledge and allowing for an adequate margin of safety, is requisite to the protection of the public health (see sections 108 and 109 of the Act). The NAAQS is a designated level, not a designated range, of PM–10 above which the air quality is considered unhealthy.

The commenter also contended that the PM–10 exceedance of 187 μg/m³ measured at the Del Paso Manor monitoring site in 1990 occurred due to extremely cold temperatures which led to an unusual number of fireplaces being in operation at the same time. The commenter therefore contends that due to this unusual and isolated chain of events, the measured exceedances should not be considered as a basis for redesignation of the Sacramento County area to nonattainment.

The commenter, in this instance, has conceded that, residential wood combustion contributed to the measured exceedances of the NAAQS for PM–10. The commenter also concedes that the exceedances were due to the operation of a large number of residential wood stoves in a highly populated area which poses a significant public health risk. The purpose of the SIP process is basically to identify and control such sources of PM–10 that contribute to violations of the health based standards. Further, the commenter did not offer supporting evidence showing that the unique events identified, such as cold weather and high residential wood combustion are unlikely to recur (see *Citizens for Clean Air* at 846–48). Therefore, the comments serve to validate EPA's decision to redesignate the area and initiate the SIP development process.

The commenter further contends that PM–10 concentration levels which exceeded the PM–10 NAAQS in the Sacramento County area during the past 3 years occurred in a specific portion of Sacramento County and were not county-wide exceedances. The commenter therefore contends that if redesignation of the area is necessary, only the portion of Sacramento County where the exceedances were measured should be redesignated.

The EPA provided the State of California with notification that Sacramento County should be redesignated to nonattainment in January of 1991 (see section 107(d)(3)(A) of the Act). In that notification, EPA requested the State to submit the appropriate boundary description for the Sacramento County area. In a response dated March 15, 1991 the State affirmed all federally-identified PM–10 nonattainment areas and addressed the boundary issue as follows:

> [W]e understand that it is EPA's policy to use county boundaries as the default, though procedures set forth in EPA's guidance documents may also be applied. Given the nature of the emission sources contributing to California's PM–10 problems, we tend to think that large nonattainment boundaries are appropriate for planning purposes. We would like an opportunity to confirm that for each particular area, though, and will provide supplemental comments shortly.

The State also requested EPA to use the State's recommendations as the basis for its rulemaking. The EPA receive no further comments from the State, and therefore proceeded to propose Sacramento County as the nonattainment boundaries for the area. In the September 22, 1992 notice proposing to redesignate Sacramento County as nonattainment, EPA described its policy for establishing PM–10 nonattainment area boundaries:

> Generally, the PM–10 nonattainment area boundaries are presumed to be, as appropriate, the county, township, or other municipal subdivision in which the ambient particulate matter monitor recording the PM–10 violation(s) is located. The EPA has presumed that such boundaries would include both the area violating the PM–10 NAAQS and any area significantly contributing to the violations. However, a boundary other than the county perimeter or municipal boundary may be more appropriate. Affected States may submit information indicating that, consistent with section 107(d)(1)(A)(i), a boundary should be alternatively defined (57 FR 43848).

The EPA indicated that the "PM–10 SIP Development Guideline" (EPA–450/2–86–001) (Guideline) contained guidance on the information that should be submitted to support such alternative boundaries.

The Guideline recommends employing the following techniques singly or in combination to alternatively define area boundaries: (1) Qualitative analysis of the area of representativeness of the monitoring station, together with consideration of terrain, meteorological, and sources of emissions; (2) spatial interpolation of air monitoring; and (3) air quality simulation by dispersion modeling (Guideline, pages 2–9 through 2–10).

The EPA received no comments from the State concerning the boundaries for the area in response to the September 22, 1992 proposal. Thus, the State's only relevant guidance to EPA suggests that the State supports the general designation of this area as nonattainment and, given the nature of California's PM–10 problems, large boundaries for planning purposes (see section 107(d)(3)(C)).

Further, three exceedances of the PM–10 NAAQS have been observed in Sacramento County at two different monitoring sites.

Sacramento Health Center, Stockton Boulevard

Site number 06–067–04001 in Sacramento: an exceedance was measured on November 18, 1989 (155 μg/m³) and December 18, 1989 (158 μg/m³). This monitoring site is located in the city of Sacramento.

Sacramento Del Paso Manor

Site number 06–067–0006 in Sacramento: exceedances were measured on December 25, 1990 (187 μg/m³). This monitoring site is located in the county, east of the city of Sacramento.

In addition, monitoring data from 1989, 1990, and 1991 indicate that Sacramento County has experienced elevated levels of PM–10. In several cases (described below), these levels represented greater than or equal to 80 percent of the PM–10 NAAQS. These observed concentrations do not represent exceedances of the PM–10 NAAQS. Nevertheless, these data were

collected from five different monitoring sites in the County and provide additional evidence of the scope of elevated PM–10 concentrations in the County.

Elevated PM–10 Concentrations in Sacramento County

1989
Site 06–067–0001: 139 μg/m³
Site 06–067–0002: 125 μg/m³
Site 06–067–0006: 142 μg/m³
Site 06–067–0283: 120 μg/m³
1990
Site 06–067–0001: 153 μg/m³
Site 06–067–0006: 135 μg/m³
Site 06–067–0006: 124 μg/m³
Site 06–067–0010: 140 μg/m³
Site 06–067–0010: 134 μg/m³
Site 06–067–0010: 120 μg/m³
1991
Site 06–067–0006: 127 μg/m³
Site 06–067–0010: 134 μg/m³

The commenter that requested EPA to provide boundaries that are only a portion of the county did not specifically suggest alternative boundaries and did not conduct the analysis recommended by EPA's policy. However, the commenter did suggest that "an extensive review of ambient air monitoring data, emission inventory data, and meteorological data could be performed" to determine a boundary for the area. Such "extensive" data collection and analysis is what the SIP development process will involve.

Previously, EPA has indicated that it would consider using its authority under section 110(k)(6) of the Act to correct the boundaries of a nonattainment area where, for example, SIP equivalent information submitted to EPA reveals that the previous boundaries were in error (see, e.g., 56 FR 37656, notes 6–7 (August 8, 1991), and 57 FR 56762–63 (November 30, 1992)). Thus, this authority provides another mechanism for the consideration of further information on this issue.

Finally, PM–10 air quality problems are generally areawide. The commenter concerned about the scope of the boundaries indicated that residential wood combustion contributed to at least one of the air quality exceedances monitored and also indicated that PM–10 levels in the area are affected by motor vehicle emissions. These are precisely the types of sources that give rise to broader areawide PM–10 air quality problems.

Colorado—Portion of Routt County

The State of Colorado submitted comments indicating that on May 28, 1991, the Routt County Commissioners adopted a PM–10 nonattainment boundary for a portion of Routt County which included the city of Steamboat Springs, as well as certain surrounding areas in Routt County. The adoption incorporated a map indicating the boundary of the area in question. Subsequently, on June 20, 1991, this boundary was adopted by the Colorado Air Quality Control Commission. The State requested that EPA issue a final boundary consistent with that adopted by the State. In today's final action, EPA has adopted a final boundary for the affected portion of Routt County that is consistent with the State's recommendation and is taking final action to redesignate the area.

Idaho—Kootenai County

The EPA received many comments on its proposed nonattainment redesignation for this area. The EPA is still assessing these comments and is not making a final decision at this time. The EPA expects to make a final decision for this area within the next few months and will issue a notice in the **Federal Register** announcing its final decision at that time.

Idaho—Part of Shoshone County

The 1990 Amendments authorize a State, on its own initiative, to submit to EPA a revised designation for an area in that State (see section 107(d)(3)(D)). The city of Pinehurst, a portion of Shoshone County, was designated nonattainment for PM–10 by operation of law upon enactment of the 1990 Amendments (see section 107(d)(4)(B), 40 CFR § 81.313 (1992)). After the 1990 Amendments, EPA received information from Idaho requesting that EPA expand the nonattainment boundary for this area to include additional townships along the Silver Valley (see 56 FR 37658 (August 8, 1991)). In the September 22, 1992 proposal for today's action, EPA proposed expanding the boundary consistent with the State's request (57 FR 43849).

The Idaho Department of Environmental Quality (IDEQ) submitted information indicating that it is in part rescinding its request to expand the PM–10 nonattainment area boundary for Pinehurst. The IDEQ requested that EPA expand the boundary to include an area just slightly larger than the city of Pinehurst. The IDEQ indicated that during the SIP development process for the city of Pinehurst it obtained information that allowed it to further refine the PM–10 nonattainment boundary for this area.

Because the State has withdrawn a portion of its previous request, it is no longer pending before EPA. Therefore, in today's action EPA is approving for redesignation to nonattainment the more circumscribed boundary requested by the State which includes an area slightly larger than the city of Pinehurst. The EPA also notes that the State has indicated to EPA that the moderate PM–10 SIP developed for the city of Pinehurst covers the slightly expanded boundary. The EPA will assess this during its review of the moderate area SIP for the city of Pinehurst. The moderate area plan for Pinehurst is ultimately approved by EPA, and it covers the expanded areas outside the city, then it would be unnecessary for the State to submit a separate moderate area plan addressing the area encompassed in the slightly expanded boundary.

New Mexico—Bernalillo County

In the proposal for today's action, EPA indicated that the city of Albuquerque provided information demonstrating that since a 1989 exceedance of the annual PM–10 NAAQS, the same site (#35–001–1013 or "the Alameda site") had monitored a downward trend in the annual values (57 FR 43848). The EPA further indicated that the downward trend was likely attributable at least in part to steps that the City had taken to reduce PM–10 emissions. For example, an area near the monitor that was suspected of contributing to the PM–10 problem had been paved in order to reduce dust generated from various activities in the area. Nevertheless, EPA proceeded with proposing the designation because certain measures taken to reduce PM–10 had not been submitted to EPA as a SIP revision and, therefore, EPA had no way of ensuring that the measures would be permanent and federally enforceable.

Since the proposal, the State of New Mexico has submitted these measures to EPA as SIP revisions. One revision involved a topsoil disturbance program that, among other things, prohibits the disturbance or removal of certain amounts of soil without a valid permit. The EPA approved this submittal in a direct final rulemaking notice published on February 23, 1993 (58 FR 10970). A second submittal contains a winter woodburning curtailment program for the city of Albuquerque. Section 107(d)(3)(A) of the Act provides that, among other things, "planning and control considerations" are relevant in determining whether the Administrator should proceed with a redesignation. The EPA believes the control measures adopted by the State are addressing the PM–10 air quality problem that prompted EPA's proposed redesignation

for this area.[7] Further, an assessment of recent data indicates that the downward trend of the annual NAAQS at the Alameda site appears to be continuing. Accordingly, at this time, EPA is not redesignating Bernalillo County as nonattainment for PM–10. The area will retain its unclassifiable designation.

Today's action in no way precludes EPA from redesignating this area as nonattainment at a later date should information reveal a PM–10 air quality problem with either the 24-hour or annual NAAQS. In fact, in the September 22, 1992 proposal, EPA specifically indicated that it was aware of potential violations of the 24-hour NAAQS in Albuquerque and was assessing the situation. The EPA is continuing to review this issue.

Washington—Part of Benton, Franklin, and Walla Walla Counties

The EPA received many comments on its proposed nonattainment redesignation for this area. The EPA is still assessing these comments and is not making a final decision regarding the redesignation of this action at this time. The EPA expects to make a final decision concerning this area within the next few months and will issue a notice in the **Federal Register** announcing its final decision at that time.

B. Sulfur Dioxide: District of Columbia—Two Areas in Washington, DC

The EPA received a comment from a commenter who contended that the area within a 1 kilometer range of the General Services Administration's (GSA) central heating plant and the area within 1.5 kilometers of GSA's west heating plant should not be redesignated to nonattainment until EPA and the District of Columbia have completed the process of negotiating a compliance plan with GSA. The aforementioned compliance plan is required under the terms of the enforceable compliance agreement entered into by EPA, the District of Columbia, and GSA. It is the District's intention to incorporate the terms of the final compliance plan and compliance agreement, along with a technical analysis, demonstrating that the emissions from GSA's two heating plants no longer cause violations of the NAAQS for SO_2 into a formal SIP revision to be submitted to EPA.

As previously stated in the September 22, 1992 **Federal Register** notice (57 FR 23846), EPA proceeded with the redesignation of the two areas surrounding the GSA heating plants because the District of Columbia had not submitted the aforementioned SIP revision to EPA. Since the date of the redesignation proposal, EPA has worked very closely with the District of Columbia and GSA to resolve this issue. The District has committed to submit a SIP revision for the areas by October 31, 1993. This SIP revision consists of requirements to reduce emissions at the sources in question and provide an attainment demonstration for the area.

Therefore, EPA has decided not to finalize the redesignation to nonattainment at this time, pending review of the forthcoming SIP submission. The EPA reserves the right to finalize the proposed redesignation of the area if the SIP revision submitted by the District of Columbia is ultimately disapproved by EPA.

Illinois—Portion of Madison and St. Clair Counties

The EPA received several comments addressing its proposed SO_2 nonattainment redesignations for portions of these two counties. At the outset of the redesignation process, EPA notified the Governor of Illinois that, based upon available information, EPA believed that Madison and St. Clair Counties should be redesignated nonattainment for SO_2 (56 FR 16274, April 22, 1991). In the State's response, it largely agreed with EPA (see, e.g., 57 FR 43846). However, during the comment period on EPA's proposed action, the Illinois Environmental Protection Agency (IEPA) submitted comments claiming that recent developments may eliminate the need for redesignation of these areas. The IEPA informed EPA that it is working with sources in these areas to develop permanent and enforceable permit revisions which will serve to address the SO_2 air quality problem in these areas. The State has committed to submit these changes to EPA in the form of a SIP revision by October 31, 1993, and as far in advance of that date as possible. Therefore, the State has requested that EPA not proceed with the nonattainment designation for these areas at this time. Others commenting on behalf of industry in these areas took a similar position to that of IEPA.[8]

The EPA is deferring final action at this time on the nonattainment redesignation for these areas in light of the recent planning efforts by the State and certain sources in the areas. However, EPA reserves the option of issuing a nonattainment redesignation for these areas at a future date. In particular, if the State does not submit the SIP revision for these areas by the October 31, 1993 commitment date which addresses the SO_2 air quality problem in these areas, EPA intends to assess whether a nonattainment redesignation for these areas should be finalized and would likely proceed with such a final redesignation at that time.

Pennsylvania—Portion of Allegheny County

As stated in the September 22, 1992 **Federal Register** notice (57 FR 23846), EPA's rationale for proposing redesignation of the portion of Allegheny County inclusive of Lincoln, Liberty, Glassport, and Port Vue Boroughs and the city of Clairton to nonattainment is due to monitored violations of the 24-hour standard for SO_2. The 24-hour standard was violated in 1986 and 1988.

The commenters contend that the principle source of SO_2 emissions in the proposed nonattainment area, U.S. Steel-Clairton Works, has invested a substantial amount of money and effort into making enhancements to its coke oven gas desulfurization facility. Furthermore, it is suggested that the changes have led to documented improvements in air quality in the "Clairton area." The commenters contend that the recent actions on the part of U.S. Steel are adequate to protect the NAAQS for SO_2 in the proposed nonattainment area. The commenters provided information correlating the monitored exceedances with specific sulfur-removal equipment failures and outages. The commenters believe that the recent upgrading of the desulfurization facility at the Clairton Works has remedied these previous equipment malfunctions which produced the monitored exceedances of the NAAQS. Therefore, the area should not be redesignated to nonattainment.

In response to above comments, EPA is encouraged by the progress made by U.S. Steel in reducing its emissions of SO_2. Therefore, EPA is not taking final action at this time for the "Clairton area." The EPA will work closely with the State of Pennsylvania and Allegheny County as it codifies these significant improvements to the desulfurization facility into the federally-approved SIP for Allegheny County (through the Pennsylvania SIP). However, EPA retains the right to finalize the proposed redesignation of the area if Allegheny

[7] Note also that "planning and control considerations" have informed EPA's decision to defer action on the SO_2 areas discussed below.

[8] One commenter raised additional issues including allegations about the procedures and technical basis associated with EPA's proposed redesignation for the affected portion of Madison County. Because, as indicated below, EPA is not taking final action on this area at this time, EPA is deferring response to these comments.

County does not submit a SIP revision for the "Clairton area" as expeditiously as possible.

IV. Significance of Today's Action

A. Significance for PM–10

Areas redesignated as nonattainment in today's action are subject to the applicable requirements of part D, title I of the Act and will be classified as moderate by operation of law [see section 188(a) of the Act]. Within 18 months of the redesignation, the State is required to submit to EPA an implementation plan for the area containing, among other things, the following requirements: (1) Provisions to assure that reasonably available control measures (including reasonably available control technology) are implemented within 4 years of the redesignation; (2) a permit program meeting the requirements of section 173 governing the construction and operation of new and modified major stationary sources of PM–10; (3) quantitative milestones which are to be achieved every 3 years until the area is redesignated attainment and which demonstrates reasonable further progress, as defined in section 171(1), toward timely attainment; and (4) either a demonstration (including air quality modeling) that the plan will provide for attainment of the PM–10 NAAQS as expeditiously as practicable, but no later than the end of the sixth calendar year after the area's designation as nonattainment, or a demonstration that attainment by such date is impracticable [see, e.g., sections 188(c), 189(a), 189(c), and 172(c) of the Act]. The EPA has issued detailed guidance on the statutory requirements applicable to moderate PM–10 nonattainment area (see 57 FR 13498 (April 16, 1992), and 57 FR 18070 (April 28, 1992)).

The State is also required to submit contingency measures, pursuant to section 172(c)(9) of the Act, which are to take effect without further action by the State or EPA, upon a determination by EPA that an area has failed to make reasonable further progress or attain the PM–10 NAAQS by the applicable attainment date (see 57 FR 13510–13512, 13543–13544). The EPA is hereby establishing the schedule for submission of contingency measures as called for in section 172(b) of the Act. The affected States are to submit contingency measures for the areas redesignated nonattainment for PM–10 in today's action within 18 months of redesignation.

B. Significance for SO_2

The EPA is, by today's action, redesignating two areas as nonattainment for both the primary and secondary standards for SO_2. The affected States must submit implementation plans to EPA within 18 months after promulgation of the nonattainment designations for SO_2, meeting the requirements of part D, title I of the Act (see section 191(a) of the Act). The implementation plans must provide for attainment of the SO_2 NAAQS as expeditiously as practicable, but no later than 5 years from the date of the final nonattainment designation [see section 192(a) of the Act]. As with PM–10, EPA has issued detailed guidance on the development of SIP's for SO_2 nonattainment areas that are consistent with part D, title I of the Act (see 57 FR 13498).

VI. Miscellaneous

A. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities [5 U.S.C. 605(b)]. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

Redesignation of an area to nonattainment under section 107(d)(3) of the Act does not impose any new requirements on small entities. Redesignation is an action that affects the status of a geographical area and does not impose any regulatory requirements on sources. To the extent that an affected State must adopt new regulations, based on an area's nonattainment status, EPA will review the effect that those actions have on small entities at the time the State submits those regulations. I certify that the redesignation action announced today will not have a significant economic impact on a substantial number of small entities.

Petitions for judicial review of this action must be filed as provided by section 307(b)(1) of the Act within February 22, 1994. Filing an administrative petition for reconsideration of the rule for purposes of judicial review nor extend the time within which a petition for judicial review of the rule may be filed, and shall not postpone the effectiveness of the rule (see section 307(b)(1)). This action may not be challenged in any subsequent proceedings to enforce its requirements (see section 307(b)(2)).

VII. Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of section 6 of Executive Order 12866.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: December 13, 1993.

Carol M. Browner,

Administrator.

Therefore, 40 CFR part 81 is amended as follows:

PART 81—[AMENDED]

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 81.303 is amended in the table for "Arizona—PM–10" by adding a second entry for "Gila County" and by adding an entry for "Mohave County" to read as follows:

§ 81.303 Arizona.

* * * * *

Arizona—PM–10

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * * *				
Gila County (part):				
Payson: T10N, Sections 1–3, 10–15, 22–27, and 34–36 of R9E; T11N, Sections 1–3, 10–15, 22–27 and 34–36 of R9E; T10–11N, R10E; T10N, Sections 4–9, 16–21, and 28–33 of R11E; T11N, Sections 4–9, 16–21, and 28–33 of R11E.	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.

Arizona—PM–10—Continued

Designated area	Designation		Classification	
	Date	Type	Date	Type
Mohave County (Part):				
Bullhead City: T21N, R20–21W, excluding Lake Mead National Recreation Area; T20N, R20–22W; T19N, R21–22W excluding Fort Mohave Indian Reservation.	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
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3. Section 81.305 is amended in the table for "California—PM–10 Nonattainment Areas" by adding entries for "Sacramento County" and "San Bernadino County" to read as follows:

§ 81.305 California.

* * * * *

CALIFORNIA—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
• • •	•	•	•	•
Sacramento County	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
San Bernadino, Inyo, and Kern Counties Searles Valley planning area Hydrologic Unit #18090205.	November 15, 1990.	Nonattainment .	November 15, 1990.	Moderate.
San Bernadino County (part): excluding that portion located in the Searles Valley Planning area, and excluding that area in the South Coast Air Basin.	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
• • •	•	•	•	•

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4. Section 81.306 is amended in the table for "Colorado—PM–10 Nonattainment Areas" by adding an entry for "Routt County" to read as follows:

§ 81.306 Colorado.

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COLORADO—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * * *				
Routt County (Part):				
The Steamboat Springs Area Airshed as adopted by the Routt County Commissioners on May 28, 1991 and the Colorado Air Quality Control Commission on June 20, 1991.	January 30,1994 .	Nonattainment .	January 30, 1994	Moderate.
* * * * * * *				

6. Section 81.313 is amended in the table for "Idaho—PM–10 Nonattainment Areas" by adding an entry for "Shoshone County" to read as follows:

§ 81.313 Idaho.

* * * * *

IDAHO—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * * *				
Shoshone County (Part):				
That portion of Shoshone County excluding the initial PM–10: including the South half of Southeast quarter of Section 31 of Range 2 east, Township 49; South quarter of Section 32 of Range 2 east, Township 49 north Section 5 of Range 2 east, Township 48 northeast half of Section 6 of Range 2 east, Township 48 northwest quarter of Section 8 of Range 2 east, Township 48 North; and excluding that portion of Shoshone County designated nonattainment for PM–10 on November 15, 1990.	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
City of Pinehurst	November 15, 1990.	Nonattainment .	November 15, 1990.	Moderate.
* * * * * * *				

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7. Section 81.327 is amended in the table for "Montana—PM–10 Nonattainment Areas" by adding an entry for "Sanders County" to read as follows:

§ 81.327 Montana.

* * * * *

MONTANA—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * * *				
Sanders County (Part):				
Thompson Falls and vicinity: including the following Sections: R29W, T21N, Sections: 5, 6, 7, 8, 9, 10, 15, and 16.	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
* * * * * * *				

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8. Section 81.333 is amended by adding a table for "New York—PM–10" and by adding an entry "New York County" to read as follows:

§ 81.333 New York.

* * * * *

NEW YORK—PM–10

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * *	*	*	*	*
New York County	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
* * * *	*	*	*	*

* * * * *

9. Section 81.338 is amended by amending the table for "Oregon—PM–10 Nonattainment Areas" by adding an entry for "Lane County" to read as follows:

§ 81.338 Oregon.

* * * * *

OREGON—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * *	*	*	*	*
Lane County (part) Oakridge: The Urban Growth boundary area	January 20, 1994	Nonattainment .	January 20, 1994	Moderate.
* * * *	*	*	*	*

* * * * *

10. Section 81.339 is amended in the table for "Pennsylvania—SO_2" by revising the entry for "Warren County" to read as follows:

§ 81.339 Pennsylvania.

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PENNSYLVANIA—SO_2

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
* * * * * * *				
VI. Northwest Pennsylvania Intrastate AQCR:				
(A) Warren County:				
Conewango Twp	x			
Mead Twp		x	x	
Clarendon Boro				
Warren Boro	x			
Pleasant Twp	x	x		
Glade Twp	x	x		
* * * * * * *				

11. Section 81.349 is amended in the table for "West Virginia—PM–10 Nonattainment Areas" by adding an entry for part of "Brooke County" and "Hancock County," to read as follows:

§ 81.349 West Virginia.

* * * * *

WEST VIRGINIA—PM–10 NONATTAINMENT AREAS

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * * * *				
Hancock and Brooke Counties (Part) The city of Weirton	January 20, 1994	Nonattainment.	January 20, 1994	Moderate.
* * * * * * *				

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12. Section 81.349 is amended in the table for "West Virginia—SO_2" by adding an entry for "Hancock County" to read as follows:

§ 81.349 West Virginia.

* * * * *

WEST VIRGINIA—SO_2

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
* * * * * * *				
Hancock County (Part) The city of Weirton, including Butler and Clay:				
Magisterial Districts	x	x		
Remainder of State				x
* * * * * * *				