

Connecticut; One-Hour Ozone Attainment Demonstration and Attainment Date Extension for the Greater Connecticut Ozone Nonattainment Area

Federal Register Dates:

December 16, 1999	Notice of Proposed Rulemaking, 64 FR 70332
January 3, 2001	Final Rulemaking, 66 FR 634
February 4, 2004	Final Rule 69 FR 5286 (Re-calculated MOBILE6 motor vehicle emission budgets for Year 2007)

EPA Approval Date: The final rule approving the one-hour ozone attainment demonstration, attainment date extension until November 15, 2007 and the motor vehicle emissions budgets was effective on February 2, 2001.

State Submittal:

On September 16, 1998 Connecticut Department of Environmental Protection submitted the attainment demonstration state implementation plan for the Greater Connecticut one-hour serious ozone nonattainment area. The SIP revision was subject to public notice and comment by the State and a hearing was held in May 1998. Connecticut also requested an attainment date extension for this area in its September 1998 submittal. The State requested a new attainment date of November 15, 2007. On February 8, 2000, Connecticut DEP submitted an addendum to the ozone attainment demonstration for the Greater Connecticut nonattainment area. The addendum was submitted in response to requirements EPA articulated as necessary for full approval in its proposed rulemaking on the September 16, 1998 attainment demonstration SIP.

Background/Prior Action:

On February 22, 2000 (65 FR 8703), EPA published a notice of availability on guidance memoranda relating to the ten one-hour ozone attainment demonstrations (including Greater Connecticut) proposed for approval or conditionally approval on December 16, 1999. The guidance memoranda are entitled: "Guidance on Motor Vehicle Emissions Budgets in One-Hour Ozone Attainment Demonstrations," dated November 3, 1999, and "Guidance on the Reasonably Available Control Measures (RACM) Requirement and Attainment Demonstration Submissions for Ozone Nonattainment Areas," dated November 30, 1999.

On June 16, 2000 (65 FR 37778), EPA notified the public that we had found the 2007 VOC and NOx motor vehicle emission budgets submitted by Connecticut on February 8, 2000 adequate for conformity purposes. A public comment period was held on these budgets which began on February 14, 2000, and closed on March 20, 2000. No public comments were received by EPA during the public comment period offered by EPA on the specific transportation conformity budgets submitted by Connecticut DEP on February 8, 2000. EPA did, however, receive comments that opposed EPA determining budgets submitted by Connecticut adequate for transportation conformity purposes when we originally proposed approval of the Greater Connecticut attainment demonstration on December 16, 1999. EPA responded to all of those comments before determining the 2007 budgets adequate.

On July 28, 2000 (65 FR 46383), a notice of supplemental proposed rulemaking was

published relating to the ten one-hour ozone attainment demonstrations (including Greater Connecticut) proposed for approval or conditional approval on December 16, 1999. In the supplemental notice, EPA clarified and expanded on two issues relating to the motor vehicle emissions budgets in the attainment demonstration SIPs. In addition, EPA reopened the comment period to take comment on those two issues and to allow comment on any additional materials that were placed in the dockets for the ten proposed actions close to or after the initial comment period closed on February 14, 2000.

On October 16, 2000 (65 FR 61134), another notice of supplemental proposed rulemaking was published to provide further support for the proposed attainment demonstration published on December 16, 1999 for the four serious ozone nonattainment areas (which includes Greater Connecticut). In this supplemental notice, EPA made available an analysis it had performed to evaluate emission levels of oxides of nitrogen (NO_x) and volatile organic compounds (VOC) and their relationships to the application of current and anticipated control measures expected to be implemented in four serious one-hour ozone nonattainment areas. This analysis was done to determine if additional reasonably available control measures (RACM) are available after adoption of Clean Air Act (CAA) required measures in the four serious ozone nonattainment areas (i.e., Greater Connecticut; Western, Massachusetts; Washington, D.C.; and Atlanta, Georgia). As explained in the supplemental notice, EPA performed this analysis in response to comments that were submitted on the proposals on these areas' one-hour ozone attainment demonstrations. Originally, EPA established a comment period for this supplemental proposal ending on October 31, 2000. A notice extending the comment period on the October 16, 2000 notice was published on November 2, 2000 (65 FR 65818). Due to a typographical error in the November 2, 2000 notice an additional notice clarifying the close of the comment period was published on November 9, 2000 (65 FR 67319).

Summary:

EPA approved by final rule, the State of Connecticut's groundlevel one-hour ozone attainment demonstration SIP for the Greater Connecticut ozone nonattainment area. EPA also approved the attainment date extension for this area until November 15, 2007. This rulemaking also approved the 2007 volatile organic compound and nitrogen oxide motor vehicle emissions budgets for the Greater Connecticut serious ozone nonattainment area for use in transportation conformity.

Transportation Conformity Budgets:

On June 16, 2000 (65 FR 37778), EPA notified the public that we had found the 2007 VOC and NO_x motor vehicle emission budgets submitted by Connecticut on February 8, 2000 adequate for conformity purposes. These budgets became effective on July 3, 2000. In our final rulemaking action, EPA approved the year 2007 motor vehicle emission budgets of 30.0 tons/day volatile organic compounds (VOC), and 79.6 tons/day of nitrogen oxides (NO_x).

Connecticut committed in its February 8, 2000 addendum to the attainment demonstration to revise their VOC and NO_x transportation conformity budgets within one year of the release of MOBILE6. On June 17, 2003 CT DEP submitted 2007 motor vehicle emission budgets recalculated with MOBILE6.2. EPA approved the MOBILE6.2 budgets into the Connecticut SIP on February 4, 2004 (69 FR 5286). As a result, all new and revised Transportation Plans and Transportation Improvement Programs that require a conformity determination must conform to

the MOBILE6.2 2007 budgets of 51.9 tons/day volatile organic compounds (VOC), and 98.4 tons/day of nitrogen oxides (NOx) for any analysis year 2007 or later.

Identification by rule name and/or number/citation of the regulations that have been approved by EPA as part of the SIP Plan:

New state regulations approved into the Connecticut State Implementation Plan in association with its ozone attainment demonstration for Greater Connecticut :

- Connecticut Regulation 22a-174-32. VOC RACT
[EPA approved October 19, 2000 (65 FR 62620)]
- Connecticut Regulation 22a-174-36. State Opt-in to the National Low Emission Vehicle Program [EPA approved March 9, 2000 (65 FR 12476)]
- Connecticut Regulation 22a-174-22b. Connecticut's NOx SIP call
[EPA approved December 27, 2000 (65 FR 81746)]
- Connecticut's Clean Fuel Fleets Substitute Plan
[EPA approved March 9, 2000 (65 FR 12474)]
- Connecticut Regulation 14-164c and 22a-174-27. Connecticut's Enhanced Inspection and Maintenance Program [EPA approved October 27, 2000 (65 FR 64360)]

The Greater Connecticut Attainment Demonstration also relied on a number of existing Connecticut control programs and existing and proposed Federal control programs/strategies including the following:

Non-CTG RACT
NOx RACT
Gasoline Loading Racks
Stage II + Tank Breathing
Automobile Refinishing,
Architectural and Industrial Maintenance Coatings
Cutback asphalt (RE imp.)
Reform, other gas market
On-road mobile strategies (I/M, Reform, Tier 1)
Reform, Off Road
National Low Emission Vehicle (NLEV) Program
Stationary Source VOC RACT

Other Commitments:

Connecticut committed in its February 8, 2000 addendum to the attainment demonstration to revise their VOC and NOx transportation conformity budgets within one year of the release of MOBILE6.

Connecticut also committed to conduct a mid-course review to assess modeling and monitoring progress achieved towards the goal of attainment by 2007, and submit the results to EPA by December 31, 2004.

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