



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 21, 1983

MEMORANDUM

OFFICE OF
AIR, NOISE, AND RADIATION

SUBJECT: Section 107 Designation Policy Summary

FROM: Sheldon Meyers, Director
Office of Air Quality Planning and Standards

TO: Director, Air and Waste Management Division
Regions II-IV, VI-VIII, X

Director, Air Management Division
Regions I, V, IX

On February 3, 1983, the Agency published a Federal Register notice regarding the status of all areas designated nonattainment under Part D of the Clean Air Act. This notice indicated that for a significant number of nonattainment areas States are anticipated to be able to demonstrate attainment of the primary national ambient air quality standards. Accordingly, for those areas, States have been encouraged to update their Section 107 designations. In addition, a number of nonattainment areas were identified in the February 3, 1983, notice as "unlikely to attain standards. The Federal Register also stated that the basic existing policy will generally be continued for redesignation. This memorandum summarizes and clarifies existing policy for reviewing designations and provides new guidance on processing these actions.

Policy For Reviewing 107 Designations

1. Data: In general, all available information relative to the attainment status of the area should be reviewed. These data should include the most recent eight (8) consecutive quarters of quality assured, representative ambient air quality data plus evidence of an implemented control strategy that EPA had fully approved. Supplemental information, including air quality modeling emissions data, etc., should be used to determine if the monitoring data accurately characterize the worst case air quality in the area. Also, the following items can be considered in special situations.

An attainment designation can be made using only the most recent four (4) quarters of ambient data if an acceptable state-of-the-art modeling analysis (such as city-specific EKMA for ozone) is provided showing that the basic SIP strategy is sound and that actual, enforceable emission reductions are responsible for the recent air quality improvement.

For nonattainment designations which were originally based solely on modeling, redesignation to attainment is possible even if less than four (4) quarters of ambient data are available provided that a reference modeling analysis considering the sources' legal emission limits shows attainment of the standards. Information must also be presented showing that the sources causing the problem are in compliance with the enforceable SIP measures.

Although the current ozone standard implies the need for three years of data for attainment designations, two years of data with no exceedances is an acceptable surrogate. As discussed previously, this should be accompanied by evidence of an implemented control strategy that EPA had fully approved.

2. Projected Future Violations: Projections of future violations can provide the basis for continuing nonattainment designations. This concept is particularly important because of the current economic downturn. Information submitted to support attainment redesignations must adequately and accurately reflect anticipated operating rates. Areas should remain nonattainment where such projections reveal air quality violations.
3. Modeling: In most SO₂ cases, monitoring data alone will not be sufficient for areas dominated by point sources. A small number of ambient monitors usually is not representative of the air quality for the entire area. Dispersion modeling employing the legally enforceable SO₂ SIP limits will generally be necessary to evaluate comprehensively the sources' impacts as well as to identify the areas of highest concentrations. If either the modeling or monitoring indicates that SO₂ air quality standards are being violated, the area should remain nonattainment.
4. Boundaries: Current policies on appropriate boundaries for designation of nonattainment areas by EPA remain in effect, i.e., generally political boundaries such as city or county for TSP and SO₂, county as a minimum for rural ozone, entire urbanized area and fringe areas of development for urban ozone, and urban core area for CO. When States redesignate, EPA will continue to accept reasonable boundaries which are supported by appropriate data, such as specific new monitoring and/or modeling data or evidence of improvement due to control strategy implementation. Nonattainment areas for ozone should include the significant VOC sources.
5. Dispersion Techniques: Areas which are projected to attain the TSP or SO₂ standards because of the use of unauthorized dispersion techniques should continue to be designated as nonattainment.

Policy for Processing 107 Redesignations

1. SIP Review Actions: Section 107 designations have generally been classified as minor actions, with only a few of the more significant ones being processed as moderate. In the future, redesignations of Tier II nonattainment areas should be classified as major actions so that they can receive a comprehensive review to help ensure regional consistency. Redesignation of Tier I nonattainment areas should continue to be handled as minor or moderate actions, as appropriate.
2. "Unclassifiable" Areas: Since EPA and the States have had nearly five years to resolve discrepancies for nonattainment designations, it is now inappropriate to redesignate any area from nonattainment to unclassifiable. There has been ample time since i.e. first designations were made in 1978 to thoroughly study each nonattainment area. Sufficient data should now exist to either make a redesignation to attainment or to keep the nonattainment designation.

If you have any questions, please contact Tom Helms at (FTS) 629-5526.

cc: Regional Administrator, Regions I-X
Chief, Air Programs Branch, Regions I-X