strategies were required to be submitted to the Administrator plans for implementing the national ambient air standards for six pollutants. The act required States to submit adopted transportation control strategies until February 15, 1973, or permit the granting of extensions to mid-1975. In the event that any extensions granted be-
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included in the evaluation report; in such cases, the Environmental Protection Agency will consult with the States to correct the deficiencies.

To the extent possible, the Administrator's evaluation of State plans reflects the latest information submitted by the States. In the interest of giving States every opportunity to bring their implementation plans into full compliance with the standard, the Environmental Protection Agency has notified States that modifications submitted after the deadline for submittal of State plans would be accepted and considered provided that such modifications were made and submitted in accordance with the requirements of 40 CFR, part 51. Accordingly, many States have been, and still are, making and submitting modifications of their implementation plans. Where such modifications were not received in time to affect the Administrator's approval or disapproval today of a State plan or portion thereof, appropriate changes to this part will be published as soon as the Administrator's evaluation of such modifications has been completed.

The act directs the Administrator to require a State to revise its implementation plan whenever he finds that it is substantially inadequate for attainment and maintenance of the national standard. In accordance with the statutory mandate, the Environmental Protection Agency will make a continuing evaluation of the State plans and will, as necessary, call upon the States to make revisions.

A discussion of the available transportation control alternatives, and the Administrator's approvals and disapprovals, is set forth below. A more detailed description of disapproved portions, together with an explanation of the basis for disapproval, will be provided to the States. Copies of these evaluation reports are available for public inspection at the Freedom of Information Center, Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, and in the Agency's regional offices.

TRANSPORTATION CONTROL ALTERNATIVES

Transportation control plans provide for reductions in carbon monoxide and hydrocarbon levels required beyond the reductions provided by the Federal motor vehicle emissions control program and stationary source regulations set forth in the previously approved State implementation plans. These reductions are to be accomplished through the implementation of the transportation control alternatives discussed below. The appropriateness of a particular alternative is determined by the pollutant controlled (carbon monoxide, oxidants) as well as by the characteristics of the specific air quality control region such as topography, demography, climatology and institutional arrangements.

The control problem is influenced by its lack of reactivity and its localized dispersion characteristics. High ambient carbon monoxide concentrations can be decreased by reducing the density of emissions in a specific area of influence. Effective measures that would reduce the emission potential of the individual vehicle, a variety of traffic control measures can be utilized to reduce vehicle emissions in high concentration areas. Three general types of traffic controls have been considered—measures to improve traffic flow; local and regional traffic diversion, increased vehicle miles of travel (VMT), and programs to shift traffic away from high concentration areas. Depending upon the local situation, all three can be effective in reducing carbon monoxide levels. However, traffic flow improvements must often be accompanied by restrictions that will prevent the latent travel demand from reconnecting traffic arteries. Traffic flow can be improved through various traffic engineering programs as well as through staggered work hours. Strategies to reduce total vehicle miles of travel include auto-free zones, increased parking fees, 4-day workweeks, and improved public transit. Carbon monoxide levels in many cases can be reduced by vehicular redistribution of the emissions, which is especially applicable to localized high ambient concentrations such as occur in many central business districts (CBD). Reduction of air quality in the surrounding area must be considered when spatial redistribution is utilized as a control measure.

Phochemical oxidant, primarily ozone, is a secondary pollutant; it results from the reaction of two primary pollutants (hydrocarbons and nitrogen oxides) in the presence of sunlight. As such, it differs from carbon monoxide in that there exists a lag time between the emissions of the primary pollutants and the formation of the secondary pollutant; therefore, the reduction of oxidant concentrations depends upon reduction in precursor (primary pollutant) emissions over a much wider area than required for the reduction of primary pollutants. One aspect of the reduction in hydrocarbon emissions required to meet the air quality standards for oxidants, as determined by statistical evaluation of observed data, is specified in 40 CFR, part 51, appendix J. Control measures such as inspection/maintenance, retrofit, increased parking fees and road tolls, 4-day workweeks, car pooling, improved mass transit, "smog taxes" on automobiles and gasoline, gasoline rationing, etc. can be used to reduce hydrocarbon emissions over a wide area. Traffic flow measures that redistribute the emissions over time or space are not considered effective in reducing photochemical oxidants.

Measures which reduce both carbon monoxide and hydrocarbon emissions from vehicles include inspection/maintenance programs and vehicle retrofit devices. Estimates of the effectiveness of such measures were provided in a notice of proposed rulemaking dated January 12, 1973 (38 FR 1467) and promulgated in final form on June 8, 1973 (38 FR 15193). Alternative transportation control measures contained in State plans such as improvements in mass transit, car pooling methods of gaining a general reduction in vehicle miles traveled, traffic flow improvements, inspection and maintenance measures as well as program proposals, are discussed in subsequent sections.

MASS TRANSIT

Since automobiles are the major source of carbon monoxide and hydrocarbon emissions in most cities, it would be desirable from an air quality standpoint if many trips presently made by auto could be diverted to other modes of travel.

It should be pointed out that any mass transit improvements requiring major construction, such as the extension of existing fixed-route systems or the building of new systems, cannot be completed by 1975 or 1977 unless such construction is already underway. Accordingly, for purposes of achieving the carbon monoxide and oxidant air quality standards by the statutory deadlines, mass transit strategies must focus on alternative systems, emergency strategies for localized high concentration areas. Depending upon the local situation, all three can be effective in reducing carbon monoxide levels. However, traffic flow improvements must often be accompanied by restrictions that will prevent the latent travel demand from reconnecting traffic arteries. Traffic flow can be improved through various traffic engineering programs as well as through staggered work hours. Strategies to reduce total vehicle miles of travel include auto-free zones, increased parking fees, 4-day workweeks, and improved public transit. Carbon monoxide levels in many cases can be reduced by vehicular redistribution of the emissions, which is especially applicable to localized high ambient concentrations such as occur in many central business districts (CBD). Reduction of air quality in the surrounding area must be considered when spatial redistribution is utilized as a control measure.

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provided sufficient margin or included adequate contingency measures.

**CAR-POOLING**

Increasing the average occupancy rate of automobiles is a conceivable method of reducing vehicle miles traveled (and thus automotive air pollutant emission) without unduly restricting personal mobility. Experimental programs have shown that incentive measures such as express lanes, reduced tolls, and preferential parking can lead to the formation of car pools. Innovative car-pool locator and information systems can also be used to assist in the formation of groups of individuals who live and work near each other and who have compatible work schedules. These programs will allow trip making while reducing air pollution emissions and the drain on natural resources.

**REDUCTION IN VMT**

Measures such as mass transit, car pools, bus lanes, parking restrictions, increased tolls on reducing, and others are designed to reduce the vehicle miles traveled (VMT). The Administrator believes that some reduction in VMT can be reasonably achieved by 1975 by employing available transportation control strategies. Application for time extensions to meet standards therefore cannot be granted until some reduction in VMT can be shown by control strategies submitted in state plans.

Information available on possible VMT reductions is incomplete. It is as true today as it was a year ago that states have had practically no experience with transportation control measures as a means of dealing with air quality problems. Aside from the Nation's experience during World War II (gasoline rationing), no one knows what the public response to significant measures for reducing VMT will be. The studies that have been made on this point are inadequate and are necessarily hypothetical until the measures have actually been put into effect. Public attitudes in major urban areas do appear to be changing, however, so that the position of gasoline supply limitations is a feasible and necessary measure for many regions.

It is also clear from the January 31, 1973, court of appeals decision that if VMT reduction measures are reasonably available by 1975, they cannot be achieved without them, they must be put into effect. This is true even though the restrictions may be necessary only for a few years until cleaner cars come into more widespread use. Against this background, the Administrator has reexamined the question of VMT reduction and has concluded that a reduction of VMT in 1973 is a feasible and necessary measure for many regions.

Though some reduction in the use of private automobiles may be expected simply from the number of measures designed to increase the attractiveness of other means of transportation, VMT reductions can only be assured through the use of some form of restraint or disincentives to vehicle usage.

A measure cannot be considered "reasonably available," if putting it into effect would cause severe economic and social dislocations. The use of personal travel could certainly be absorbed without such disruption, achievement of a significant VMT reduction will require that the majority of the travel to be displaced by the displaced personal automobiles be absorbed by other modes of transportation such as car pools and public transit, or by walking or bicycling.

The only significant expansion of public transit facilities that can be accomplished by 1975 except where construction is already underway is the upgrading and physical expansion of bus services. Much however, can be done in this regard, Scheduling and service can be improved and optimized.Individual lanes of freeways and other major roads can be set aside for the exclusive use of buses. Significant numbers of new buses can be purchased and put into service by then. According to Department of Transportation figures, 2,500 transit buses were sold in this country in 1972, but the transit industry's production capacity is projected to be more than 6,000 buses a year by 1975.

Sufficient alternative transportation capacity appears to be available now, or will be available by 1975, to allow significant VMT reductions (perhaps 10 to 15 percent) by 1975 in most of the Nation's cities. Alternative transportation reductions should be possible by 1977. Alternative transportation capacity exists partly in present mass transit facilities, or can be created through the expansion of bus service. In part it exists in the possibility that many short trips now made by car could be made by bicycle or on foot.

A major part of the transportation demand which cannot be absorbed by car pools. Private automobiles, which are designed to carry four to six persons, carry an average of one and one-half persons per trip in major urban areas, and thus represent the largest unused pool of transportation capacity currently available. The Administrator cannot directly require the use of car pools, however, because as measures to make the use of private automobiles less convenient are imposed, increased reliance on car pools will develop naturally as a matter of private initiative.

VMT reduction measures which the Administrator may propose will vary according to the pollution problem of the individual region. Three major control measures appear to be particularly effective for VMT reduction. The first is the use of parking restrictions in central business districts (CBD). In addition to helping solve the problem of localized carbon monoxide pollution in these areas, as noted above, such measures can be expected to discourage auto trips to CBD's by making it more difficult to park the car at the end of the trip, and thus encouraging a shift to alternate modes of transportation. The second is the conversion of one or more lanes of freeways and major streets to the exclusive use of buses or car pools or both. This can be expected to encourage the use of the favored modes of transportation by reducing traveltime and to discourage the use of private automobile travel by reducing the amount of road space available to them. The third is the imposition of gasoline supply limitations which might be no more than a limit on the growth in gasoline consumption. This can be expected to further reduce VMT. In some regions, this will be made necessary by the legal requirement to propose a solution theoretically capable of meeting the standards by 1975, or by 1977 at the latest.

**TRAFFIC FLOW IMPROVEMENTS**

In central business districts, traffic speeds are low during most of the day. Various traffic flow improvement measures, including operational improvement of existing roads, have been proposed by many States on the basis that the resulting higher traffic speeds will substantially reduce pollutant emissions.

There are indications that the resulting improvement in air quality will be short-lived, since street improvements tend to induce additional traffic. With higher traffic volumes, total emissions would increase. Within a year or two, these emissions may in fact be at higher levels than if the traffic flow improvement measures had not been implemented at all.

It may be possible in some areas to counteract the induced traffic by appropriate measures; but, in general, the States have not addressed themselves directly to this problem. Where the States have considered and proposed such countermeasures, they have been proposed as separate control measures for which additional emission reductions have been claimed. The Administrator recognizes that it is not easy to solve the problem of induced traffic; however, failure to recognize the problem gives rise to the possibility of the results of the traffic flow improvements, and failure to identify the major elements of the problem could result in inadequate monitoring and in inadequate planning of counter and contingency measures.
**Inspection/Maintenance**

Pollutant emissions from in-use vehicles can be reduced by testing that engines and emission control devices are maintained in good operating condition. Such reductions can be achieved through periodic inspection and the repair of vehicles that fail to meet inspection standards. The degree of emission reduction obtained will depend on the frequency of inspection and the specific standards used. The total emission reduction achievable through a particular inspection measure will be accomplished only after the vehicles in a particular area have completed the inspection/maintenance cycle.

States have proposed three principal types of annual inspection programs: Idle emission tests, loaded emission tests, and inspection and maintenance. The Administrator has evaluated the feasibility of these systems and the time generally required to implement and complete one inspection cycle. An idle-test program (i.e., tests with transmissions in neutral) can be fully implemented by May 31, 1976. A loaded-test program (i.e., tests with the vehicle placed on a dynamometer which is programed to simulate actual driving conditions) leads to additional emission reductions, but, due to the equipment needed, may require up to 6 additional months for implementation (December 1, 1975). The implementation completion dates for these tests are subject to adjustment based on the evaluation of results from current programs, and availability of facilities for safety inspection and licensed garages.

The Administrator does not currently believe that implementation of heavy-duty vehicle inspection/maintenance programs can be assured, even by 1977. Currently a successful inspection/maintenance approach for heavy-duty vehicles has not been identified. Accordingly, provisions for heavy-duty vehicle inspection/maintenance have only been considered acceptable in the New York City transportation control plan in view of the city's continuing program to develop and test heavy-duty retrofit systems.

Most States have developed detailed plans for implementation of inspection/maintenance programs. Implementation will require obtaining the necessary legal authority; promulgating the required regulations specifying appropriate emission or other performance standards and testing procedures; training garage mechanics; licensing garages where necessary or appropriate; and training the State's supervisory manpower.

**Retrofit Control Systems**

Some States have proposed that retrofit control systems be required for light-duty vehicles and heavy-duty vehicles registered in those states. The New York City transportation control plan for achieving any given primary standard in any air quality control region may be granted only if the Governor of a State requests it and establishes the following to the satisfaction of the Administrator: (1) he must have presented a plan which is theoretically able to achieve the standard by the date set by 1975 deadline; (2) he must show that certain elements of the control strategies necessary to control certain sources will not be available by 1975; (3) he must show that there are no alternatives to those essential elements in (2) above that will not be available by 1975; (4) he must demonstrate that the plan provides for the application of retrofit strategies which is practicable, of all reasonably available measures for reducing emissions from these sources; and (5) he must show that all strategies in the plan for the control of other sources will be applied...
by May 31, 1975. The January 31, 1973, Court of Appeals decision placed particular stress on the requirement for a careful examination of extension requests. An extension, if granted, applies only to those specific measures on which more time is required. All other measures in the plan must be fully implemented by May 31, 1975, or sooner as provided in the plan.

If the State has not met the conditions of section 110(e), the Administrator must disapprove the extension request and propose a substitute plan. If it becomes apparent either that the original denial was in error or that the best achievable plan still will not meet the standards in 1975, the Environmental Protection Agency may grant itself an extension of time, if justified by the facts, up to a 2-year maximum. In granting itself the extension, the Environmental Protection Agency is bound by the same legal standards as those that apply to State requests. In particular, no such extension will be legally valid unless the requirements of section 110(e) have been met.

**Public Hearings and Comments**

All States were required, prior to the adoption of any plan or revision thereof, to conduct public hearings on such plan, compliance schedule, or revision. Notice of a public hearing was to be given at least 30 days prior to the date of such hearing. Notice was to be given by prominent advertisement, in the region affected, of the date, time, and place of such hearing. The proposed plan or revision was to be available for public inspection at the time of announcement of the notice.

Comments were received from the general public, private industry, and such organizations as Natural Resources Defense Council. Typical comments were as follows: (1) Plans did not provide necessary assurance that the State will furnish the required resources to implement the control strategies and procedures, monitoring systems, and surveillance necessary for plan implementation; (2) plans did not provide an adequate description of the enforcement methods, administrative procedures, monitoring systems, and surveillance necessary for plan implementation; (3) plans made unjustified and legally insufficient request for extensions of the deadline for attainment of the primary standards; and (4) plans did not make provision for intergovernmental cooperation in the implementation of a strategy.

These and other comments are addressed in the preamble to the specific State plans and in the evaluation reports written for each State plan.

**Future State Action Required**

As indicated in the March 20, 1973, notice, the complete formulation of transportation control strategies requires three steps. The first step was completed with submission on April 15, 1973, the State control strategies, as defined in 40 CFR 51.1(n), which are proposed to be put into effect on a specified timetable. A listing of the strategies and control strategies do not meet this requirement, even if it is coupled with general assurances that one or more of the measures described will be put into effect if necessary. To be acceptable, a plan must make choices and indicate specifically what will be done. In addition, a plan must contain the specified air quality data and projections of strategies impact, and must meet other requirements of part 51.

Second, States must submit evidence that they will possess the legal authority by July 15, 1973, to carry out the plan. In those instances where the legislature is still in session, or where the Governor has indicated he will call a special session of the legislature to consider transportation controls, transportation strategies may be approved this date regarding the requirements of § 51.11(a), (c), (d), and (f) calling for legal authority, since the Agency has previously stated that necessary legislative authority may be submitted by July 30, 1973. To the extent that legal authority is not shown to be available at that time, the affected elements of the plans will be disapproved, and the Administrator will promulgate substitute provisions unless the State can show that the authority is not currently needed, that it will be obtained before it is needed, and that no loss of time in meeting the standards will result from waiting to obtain it.

Detailed regulations for implementing the control strategy must be adopted by December 30, 1973. This does not defer the necessity for the States to choose their strategies and make firm commitments to put them into effect. It merely means that the detailed procedures involved can be approved later. If the plan did not provide adequate assurance that this later stage would be essentially procedural, so that substantial difficulties would not be likely to arise then, the plan was not approved.

### Federal Motor Vehicle Emission Program

The April 11, 1973, decision of the Administrator (38 FR 10317) granting certain suspensions of the 1975 auto emission standards to the domestic auto manufacturers will, to some degree, affect the transportation control plans. It is estimated that the initial motor vehicle standards specified by the Administrator will increase the vehicle pollutant emissions in 1975 by 2 to 4 percent of that anticipated before the 1-year extension was granted to the automobile manufacturers. Because of the closeness of the date of the Administrator's decision and the April 15, 1973, deadline for plan submittal, only a few of the plans accounted for the effect of the interim standards. For those land that are found to be inadequate, additional measures will be proposed by the State or the Environmental Protection Agency to compensate for the 1-year extension.

The effects of these and other factors will be kept under continual review and the States will be required, at appropriate times, to suitably revise their plans in accordance with procedures prescribed by the Clean Air Act and 40 CFR 51.6.
A limited number of State plans are being completely approved today. However, the portions of most plans submitted and recognized the commitment- and extensive effort put forth by many States in the development of these plans. It is confident that many States will correct the deficiencies and have fully approvable plans in the future. Transportation control plans for Alabama and New York are completely approved. Based on evaluation of recent air quality measurements and updated emission inventories, the plan submissions indicate that control measures currently contained in three of the five regions in these States will achieve the standards by May 31, 1975. These regions are the Metropolitan Birmingham intrastate region in Alabama, the Alabama portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi intrastate region, and the central New York region. The two remaining regions in New York State require transportation controls and have submitted approvable plans. The Genesee-Finger Lakes-Metropolitan region's transportation controls to achieve the standards for photochemical oxidants (hydrocarbons) by May 31, 1975. The New York portion of the New Jersey-New York-Connecticut intrastate region, which requires extensive transportation controls, has been granted an extension until December 31, 1976, to achieve the standards for photochemical oxidants and the monoxide.

The Administrator is required to disapprove three plans today that have not been available for public comment a full 21 days. It should be noted, however, that the agency currently expects to approve these plans provided changes are not required in response to public comments. The portions of regions covered by these plans are the Louisiana portion of the southern Louisiana-Southeast Texas intrastate region, the Kansas portion of the Metropolitan Kansas City intrastate region, and the portions of regions for photochemical oxidants and carbon monoxide.

Ten plans submitted by eight States and the District of Columbia cannot be fully approved but contain strategies which either will achieve ambient air quality standards or require the addition or modification of several control measures to achieve standards. In some cases, disapproval today results from deficiencies in meeting requirements such as adequate legal and enforcement authority, monitoring and surveillance systems, and plans for implementation and enforcement. These plans are the result of extensive efforts by States. The Environmental Protection Agency continues to work with each State to revise State plans as necessary for them to be fully approvable.

Colorado recently submitted a detailed plan for Denver. This plan has been approved too late for the Administrator to complete his evaluation. In addition, the plan has not been available for public comment for the required time period.

Maryland and Texas submitted plans which include noticeable deficiencies in control strategies proposed to meet standards. It is expected that significant control measures will be proposed by the Administrator to make these plans acceptable.

Transportation control plans for 15 regions or portions of regions have been disapproved because no transportation control measures have been submitted by the appropriate States to the Administrator. A discussion of specific actions relevant to each State is given below.

**Alabama**

The State of Alabama was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the Metropolitan Birmingham intrastate region, and for photochemical oxidants (hydrocarbons) in Alabama's portion of the Mobile (Alabama)-Pensacola-Panama City (Florida)-Southern Mississippi intrastate region.

In accordance with NRDC v. EPA, this extension was rescinded, and Alabama was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. On April 24, 1973, the State of Alabama submitted a nonregulatory plan revision. This revision was reviewed and evaluated by the Administrator pursuant to 40 CFR part 51. It has been determined after review that the revision submitted adequately insures that the Alabama plan meets the requirements of section 110. A summary of this review is contained in "Evaluation Report, on the Transportation Control Study for the State of Alabama," which is available both at the Freedom of Information Center, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, and at the Office of Public Affairs, EPA Region IV, 1421 Peachtree Street NE., Atlanta, Ga. 30309.

The approved implementation plan provisions were adopted in accordance with procedural requirements of State and Federal law. No public hearings on this revision were held by the State of Alabama. However, since the revision submitted was a nonregulatory revision, no hearing was required under 40 CFR part 51, and the Administrator reviewed the plan. This review led to the Federal Register of May 4, 1973 (38 FR 11113), "Notice of Opportunity for Public Comment on Proposed Transportation and/or Land Use Control Strategies." The major petroleum company commented on gasoline-loading requirements already adopted by the State of Alabama. The Natural Resources Defense Council challenged as inflated the Alabama figures indicating that the standards would be achieved on schedule without transportation controls through the increment which are considered to have new status.

The approved plan includes new strategies which are considered to have new status. Although, as noted in the evaluation report, EPA has not accepted the State figures in full, the figures even as adjusted indicate in our best judgment that the standards will be met on schedule.

**Alaska**

In accordance with NRDC v. EPA, Alaska was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the carbon monoxide standards in the Northern Alaska intrastate region by May 31, 1975.

The State of Alaska has neither held public hearings to consider alternate transportation and land use control strategies as part of their implementation plan for the region, nor has the State indicated that it will submit a plan in compliance with the March 20 Federal Register requirements.

As a result of Alaska's unresponsiveness to the Administrator's order of March 20, 1973, the Administrator must at this time indicate that deficiency and list the resultant exemptions to the approvability of the Alaska plan for the Northern Alaska intrastate region.

Should the State of Alaska submit its required plan, the Environmental Protection Agency will acknowledge formal receipt of the plan through the Federal Register and will provide an opportunity for the public to comment on the plan. All comments submitted will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as is deemed appropriate.

**Arizona**

The State of Arizona was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment and maintenance of the carbon monoxide standards in the Phoenix-Tucson intrastate region.

In accordance with NRDC v. Environmental Protection Agency, this extension was rescinded, and Arizona was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. In addition, Arizona was directed to submit a transportation control strategy for photochemical oxidants (hydrocarbons) for the Phoenix-Tucson intrastate region.

The State of Arizona held a public hearing on the proposed plan on January 25, 1973. At this hearing 27 persons testified, including representatives of 9 conservation groups and 3 industries. General support and endorsement were voiced for inspection/maintenance and retrofit as immediate solutions, but most testimony indicated that these strategies would be inadequate as permanent solutions. There was general support for long-term strategies such as mass transit, controlled growth, and land-use planning.

EPA received the plan on April 11, 1973, and published notice of its arrival in the Federal Register, 38 FR 10119 (Apr. 24, 1973), and invited comments.

One comment submitted criticized the use of a limited data base and lack of contingency measures in the plan and objected to the high cost of retrofits.
Comments received from three oil companies also objected to catalytic retrofits. In addition, the Natural Resources Defense Council submitted comments that challenged as too high the estimates of emission reductions to be achieved from retrofit and the establishment of an inspection and maintenance system; the general lack of regulatory language and choice of strategies; and the absence of VMT reduction measures. The feasibility of the proposed retrofit program was also questioned.

After reviewing the plan, the Administrator concluded that, if only the emission control on bulk tank farms and ice station underground storage tanks were implemented as proposed, the national standards for photochemical oxidants could be attained by May 31, 1975, but that a 39-percent VMT reduction, in addition to all the proposed strategies would be required in order to attain the standards for carbon monoxide by the 1975 deadline. However, the State's implementation dates for several of the proposed strategies are not acceptable.

The Administrator has determined that catalytic retrofits cannot be fully implemented in 1975 and air bleed retrofits cannot be fully implemented before mid-1976. In the State plan it was indicated that the proposed loaded inspection system cannot be fully implemented before mid-1976, even though the State already has an ongoing program established. EPA agrees with this assessment. Therefore, although these strategies are technically feasible, the Administrator cannot approve them for the Arizona plan because they will not be available to the State for use in attaining the national standards by May 31, 1975. In addition, the proposed retrofit and inspection strategies for heavy duty vehicles cannot be approved because these strategies are not considered implementable even by mid-1977.

A request by the Governor for an 18-month extension for both pollutants was included with Arizona's plan. However, the State failed to satisfy the justification criteria published in the Federal Register (36 FR 15493) for extension requests, namely, the plan contains no VMT reduction measures to be implemented during the extension period. In the judgment of the Administrator, sufficient alternative transportation capacity is presently or potentially available to achieve a 10- to 15-percent VMT reduction by 1975. Therefore, the Administrator cannot grant the extension. Nevertheless, it should be noted that, based on the above deficiencies, charges and the extension extension would not be sufficient for implementing all the strategies needed for attainment of the standards.

The Administrator recognizes the sincere efforts of Arizona to develop technically sound and workable transportation control strategies. In order to realize its objective, the Administrator encourages the State to investigate the availability of other strategies, such as tolling involving heavy duty vehicles, and to submit an adequately documented justification for an extension of the attainment dates for the carbon monoxide standards.

California

The State of California was granted, pursuant to section 110(c) of the act, an extension of 2 years for the attainment of the standards for photochemical oxidants (hydrocarbons) in the San Francisco Bay Area, Sacramento Valley, and South- east Desert- intrastate regions, and for carbon monoxide in the Sacramento Valley intrastate region.

In accordance with NRDC v. EPA, this extension was rescinded and California was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

In addition, California was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) in the San Diego and San Joaquin Valley intrastate regions and for carbon monoxide in the San Francisco Bay Area, San Diego, and San Joaquin Valley intrastate regions. This direction did not include the Metropolitan Los Angeles intrastate region, which was already the subject of separate EPA rulemaking at that time.

Because the court's order handed down in NRDC v. EPA, Administrator is disapproving State plans within 2 months after the date required for the submission of the plan, the Administrator is disapproving those portions of the California plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon lack of timely submittal of the required plan and is not meant to reflect on the content of the submitted plan.

The Environmental Protection Agency has acknowledged in the Final Rule (48 FR 11114 (May 4, 1973)) that a 39 percent reduction in VMT, if only the emission reductions to be achieved from the proposed strategies would be sufficiently stringent to achieve the standards for oxidants and carbon monoxide in the San Francisco Bay Area, San Diego, and San Joaquin Valley intrastate regions. This direction did not include the Metropolitan Los Angeles intrastate region, which was already the subject of separate EPA rulemaking at that time.

Because the court's order handed down in NRDC v. EPA, the Environmental Protection Agency will, when the plan is received, acknowledge its receipt in the Federal Register, and will provide an opportunity for the public to comment on the plan. After evaluation of the plan that is to be submitted by California, and consideration of all comments, this notice will be revised accordingly.

Colorado

The State of Colorado was granted, pursuant to section 110(c) of the act, an extension of 2 years for the attainment of the carbon monoxide standard in the Metropolitan Denver Intrastate Region.

In accordance with NRDC v. EPA, this extension was rescinded, and Colorado was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of standards as noted above by May 31, 1975. The State of Colorado held public hearings on the Colorado plan on January 18, 1973, and ultimately submitted the plan on May 31, 1973.

The court order required the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan. Further, the Administrator must provide a period for public comment after receiving the plan and prior to publication of approval/disapproval notice in the Federal Register. Accordingly, the Administrator must disapprove those portions of the Colorado plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon lack of timely submittal of the required plan and is not meant to reflect on the content of the submitted plan.

The Environmental Protection Agency has acknowledged in the Final Rule (48 FR 11114 (May 4, 1973) that a 39 percent reduction in VMT, if only the emission reductions to be achieved from the proposed strategies would be sufficiently stringent to achieve the standards for oxidants and carbon monoxide in the San Francisco Bay Area, San Diego, and San Joaquin Valley intrastate regions. This direction did not include the Metropolitan Los Angeles intrastate region, which was already the subject of separate EPA rulemaking at that time.

Because the court's order handed down in NRDC v. EPA, Administrator is disapproving State plans within 2 months after the date required for the submission of the plan, the Administrator is disapproving those portions of the Colorado plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon lack of timely submittal of the required plan and is not meant to reflect on the content of the submitted plan.

In addition, California was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) in the San Diego and San Joaquin Valley intrastate regions and for carbon monoxide in the San Francisco Bay Area, San Diego, and San Joaquin Valley intrastate regions. This direction did not include the Metropolitan Los Angeles intrastate region, which was already the subject of separate EPA rulemaking at that time.

In accordance with NRDC v. EPA, the District of Columbia was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the photochemical oxidants and carbon monoxide standards in the District of Columbia. The District of Columbia revised its plan to reflect the recommendations of the National Capital Interstate Air Quality Planning Committee. This committee is composed of representatives from the District of Columbia, the State of Maryland, and the Commonwealth of Virginia, including local jurisdictions.

The committee was formed by an administrative agreement among Virginia, Maryland, the District of Columbia, and the Metropolitan Washington Council of Governments, and received a funding grant under section 104(a) of the Clean Air Act for the prime purpose of developing a region-wide transportation plan.

The District of Columbia held public hearings on February 12 and 13, 1973. Statements were presented by representatives of commerce, industry, and citizen environmental groups. Substantial support was evidenced for land use controls, staggered work hours, carpool incentives, "bike-ways," restrictions on free employee parking facilities, and an expanded commuter rail system. Business representatives objected to parking surcharges and the proposed ban on day-time deliveries by heavy-duty gasoline-powered trucks.

Upon receipt of the District of Columbia plan, EPA published notice of its arrival in the Federal Register, 38 FR 11114 (May 4, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, government, interest groups, and individuals. The written comments reflected strong objections to peak-hour delivery...
bans, the parking surcharge, and the re-

profit of gasoline service stations; evi-
denced substandard concerns regarding the
technical feasibility and safety implica-
tions of the proposed curtailment of air-

craft taxiing; and urged region-wide im-
plementation of the plan. Receipt of the
written comments was acknowledged by
letters from the Regional Administrators to
the commenting sources.

The comments submitted by the Nat-

ural Resources Defense Council deserve
special mention. These comments chal-

lenged as too low the air quality baseline
data used by EPA. They urged that the air
quality monitoring system proposed by
the District of Columbia be increased, and
called for a commitment to imple-
mentation of a VMT surveillance system.
They also urged that a more compre-

hensive system of vehicle restraints and VMT
reduction measures be established. In
addition, NRDC stated that a uniform
plan for the entire air quality control
region must be adopted and expressed
doubts as to the feasibility of the pro-
posed retrofit program. Finally, NRDC
stated that legal authority, regulations,
timelines for implementation, adequate
resources, current restraints, and pro-

cedures were lacking in the case of

the implementation of the plan. Receipt of the

written comments was acknowledged
by EPA.

The plan proposed by the District of
Columbia includes a broad spectrum of
control measures for both mobile and
stationary sources, which, if they can be
fully implemented, could achieve the pri-

mary air quality standards for photo-
chemical oxidants and carbon monoxide
by May 31, 1975. Moreover, Interim mea-

sures are proposed that could be imple-
mented in the event that some of the
primary measures are not available by
May 31, 1975. However, the absence of
proposed regulations and specific proce-
dures for enforcement and administra-
ton of portions of the plan, plus the
improbable availability or full implementa-
tion of several proposed control meas-
ures by May 31, 1975, preclude full
approval of the plan.

Although no extension was requested,
the Administrator is currently of the opin-
ion that the long lead-time required for
the principal control measure (cat-
litic converters) may well make it im-
possible to attain the regional ambient air
quality standards by May 31, 1975. There-
fore, the Environmental Protection
Agency proposes to promulgate a uniform
plan that will reflect both the compre-

hensiveness of the control measures pro-
posed by the District of Columbia and
realistic lead-time constraints.

ILLINOIS

In accordance with NRDC v. EPA, Illi-

nois was directed to submit a transpor-
tation strategy by May 31, 1973, that
would provide for the attainment and main-
tenance of the carbon monoxide stan-
dards in the Illinois portion of the
Metropolitan Chicago interstate region
by May 31, 1975.

The Illinois Environmental Protection
Agency held public hearings on April 5
and 6, 1973, on its proposal for a trans-
portation plan. This plan was subse-
quent ly submitted to the Administrator
on April 17, 1973. The Administrator ac-
knowledge on April 27, 1973, Federal
Register, along with a statement that
EPA would consider additional com-
ments submitted by the public. A com-

mittee from the Clean Air Coordinating
Committee of Chicago, Ill., objected to
this plan for the following reasons, among
others:

(A) Failure to utilize current State pro-
cedures in adopting this plan, and

(B) Lack of requisite legal authority
for implementation.

Based on an examination of applica-
tible State and Federal law, procedures,
and precedents (including the original
State implementation plan adoption and
submittal), the Administrator has de-
termined that the State of Illinois has
not adopted a transportation plan for
submission to the Administrator, as re-
quired. It was found under sections 4
5 and 6 of the Illinois Environmental
Protection Act that the authority to pro-
pose and determine the necessary trans-
portation strategies does not reside uni-
laterally with the Illinois Environmental
Protection Agency.

The Administrator, however, has ex-

tended this proposed plan, together with
the entire hearing record of the State.
It has determined that the proposed
plan, had it met the requirements for
adoption, would not have provided stra-

tegies that have the total capacity for
attaining and maintaining the national
standards for carbon monoxide. These
proposed strategies were the Federal
motor vehicle control program, which
affects all gasoline-powered vehicles in
the region; the Chicago motor vehicle
emission inspection program, which af-

fects vehicles in the city of Chicago; and
the enforcement of parking restrictions
on one side of one-way streets, which will
only affect the Chicago central business
district. Environmental Protection
Agency calculations show that the stra-

tegies presented in this proposed plan
would result in a total of 44-percent
reduction in carbon monoxide emis-

sions in the Chicago central business
district instead of the necessary 50-percent
reduction, based on measured air quality
data reflected in the State’s submission.
A more detailed review by EPA of this
proposed plan will be provided to the
State. Copies of this evaluation report
will be available for public inspection at
the Environmental Protection Agency,
region V, 1 North Wacker Drive, Chicago,
Ill. 60606, and at the Office of Public
Affairs, Environmental Protection
Agency, 401 M Street SW., Washington,
D.C. 20460.

A proposed EPA regulation setting
forth a plan to attain and maintain the
CO standards in the Illinois portion of
the Metropolitan Chicago interstate re-

gion will be published shortly in the Fed-
eral Register and will provide an op-
portunity for the public to comment on
the proposed plan.

INDIANA

The State of Indiana was granted, pursuant to section 110(e) of the act,
an extension of 2 years from the attain-
ment of the photochemical oxidant (hy-
drocarbon) and carbon monoxide stan-
dards in the Metropolitan Indianapolis
intrastate region.

In accordance with NRDC v. EPA, this
extension was conditioned, and Indiana
was directed to submit a transportation
strategy by April 15, 1973, that would
provide for the attainment and main-
	ance of the standards as noted above by
May 31, 1975.

The State of Indiana held public hear-
ings on proposed revisions to its plan for
the Metropolitan Indianapolis intrastate
region on April 9, 1973. On this date, the
State indicated that the proposed plan
was adequate to attain and maintain the
air quality standards by May 31, 1975,
with no application of additional con-

"RULES AND REGULATIONS"
on the content of an expected late submission. A proposed EPA plan will be published soon for comments and will consider the public comments submitted by the EPA proposal and the anticipated Indiana State plan will be considered. After considering the plan submitted by the State of Indiana and all comments, the Environmental Protection Agency will take such final action as appropriate to approve all portions of any plan submitted by Indiana that are approvable and promulgate Federal regulations for the balance.

KANSAS

The State of Kansas was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Kansas portion of the Metropolitan Kansas City interstate region.

In accordance with NRDC v. EPA, this extension was rescinded and Kansas was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by March 31, 1975.

On March 30, 1973, Kansas submitted implementation plan revisions that consisted of controls for hydrocarbon oxidants and carbon monoxide in the Metropolitan Kansas City interstate region by May 31, 1975. A review of these revisions was conducted by the Administrator, pursuant to 40 CFR, part 51. Submittals by the State must be reported in the Federal Register, and a 21-day period set for receipt and analysis of public comments prior to approval/disapproval. Because Kansas submitted the notice was not promptly reported, there is insufficient time to analyze and/or include public comments in the final disapproval decision by June 15, 1973. When analysis of public comments is completed, this notice will be revised accordingly.

A summary of the Administrator's review based on currently available information is contained in the evaluation report, which is available at both the Freedom of Information Center, EPA, room 329, 401 M Street SW, Washington, D.C. 20460, and the Office of Public Affairs, EPA, Region VI, 1000 Patterson Street, suite 1100, Dallas, Tex. 75204.

Public hearings were held by the State of Louisiana on December 28, 1972, to consider the revisions to the State's stationary source controls, and on March 1, 1973, to consider the revised control strategy. The revisions were adopted in accordance with procedural requirements of State and Federal law, which provided on notice of hearings and time for comment. The general counsel of those present at the hearings was that the proposals were satisfactory.

MARYLAND

The State of Maryland was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Metropolitan Baltimore intrastate region and for photochemical oxidants (hydrocarbons) in the Metropolitan Baltimore intrastate region.

In accordance with NRDC v. EPA, this extension was rescinded, and Maryland was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

Although neither the May 31, 1972, nor the March 20, 1973, amendments to 40 CFR, part 52 require the submission of a strategy for the attainment and maintenance of national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Baltimore intrastate region, the latter region is subject to considerable oxidants. The region is subject to considerable recent data on the photochemical oxidant (hydrocarbons) problem there. Because more recent data from fully calibrated instrumentation indicated excessive concentrations of photochemical oxidants (hydrocarbons) in the Metropolitan Baltimore intrastate region, the State of Maryland prepared and submitted proposed strategies for both pollutants in both the Metropolitan Baltimore intrastate region and the National Capital interstate region.

The State of Maryland held public hearings on the plans on May 3, 1973, for the National Capital interstate region, and on February 28, 1973, and April 4, 1973, for the Metropolitan Baltimore intrastate region. All sessions were attended by representatives of industry, government, and environmental citizens' groups, and by private citizens. In each case, environmental groups advocated decreased highway construction, increased public mass transit, and industry representatives objected to bans on heavy-duty vehicle deliveries and to retrofit of motor vehicles.

The Governor of Maryland submitted a plan for the State of Maryland on April 16, 1976, and requested a 2-year extension based on the unavailability of local public mass transit, vehicle use control, inspection maintenance system, heavy-duty vehicle retrofit, and service station operation elements. Upon receipt of the plan, EPA published notice of its arrival in the Federal Register, 38 FR 10120 (April 24, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, governmental organizations, and private individuals. Principal comments from these sources reflected the lack of a specific VMT control program, the unavailability of lead-free gasoline, and the economic impracticability of banning new stationary sources. Receipt of the written comments was acknowledged by letters from the Regional Administrator to the commenting sources.

The comments submitted by the Natural Resources Defense Council deserve special mention. The NRDC v. EPA court order, the Administrator, pursuant to 40 CFR, part 51, with the maximum period set for receipt and analysis of public comments prior to approval/disapproval. Because Maryland submitted the notice was not promptly reported, there is insufficient time to analyze and/or include public comments in the final disapproval decision by June 15, 1973. When analysis of public comments is completed, this notice will be revised accordingly.

A summary of the Administrator's review based on currently available information is contained in the evaluation report, which is available at both the Freedom of Information Center, EPA, room 329, 401 M Street SW, Washington, D.C. 20460, and the Office of Public Affairs, EPA, Region VI, 1000 Patterson Street, suite 1100, Dallas, Tex. 75204.

Public hearings were held by the State of Maryland on December 28, 1972, to consider the revisions to the State's stationary source controls, and on March 1, 1973, to consider the revised control strategy. The revisions were adopted in accordance with procedural requirements of State and Federal law, which provided on notice of hearings and time for comment. The general counsel of those present at the hearings was that the proposals were satisfactory.
updating when supplementary information is provided by Maryland. It is EPA's understanding that such an update is currently in preparation. Although no assumptions are made concerning future contents of an updated plan, a number of statewide items, such as a motor vehicle inspection program, could apply equally to the Massachusetts plan. Consequently, it is deemed reasonable that this evaluation will reflect those items in the current Metropolitan Baltimore plan that would apply to the Massachusetts plan if it had been prepared in a more rigorous manner and in the proper format.

Although the plan submitted contained a broad spectrum of proposed strategies, they were very general and provided little assurance that they are feasible and capable of implementation. In his transmitted correspondence, the Governor of Maryland states his difficulty in proposing a catalytic converter retrofit program. The supplemental information provided with the plan presents reductions attributable to a catalytic converter program. The plan supports the Administrator's problem in determining which emission reduction credits may legitimately be claimed. Further complications include a broad spectrum of proposed strategies. Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is approving those portions of the Maryland plan that satisfy the requirements of 40 CFR, part 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will be published soon for comment and will be promulgated on August 15, 1973, as required by the Clean Air Act.

It is expected that the Governor of Maryland will submit additional elements of the proposed plan in the near future. When they are received, EPA will acknowledge, in the Federal Register, receipt of the plan and will provide an opportunity for the public to comment on these additions. After considering the additional submissions by the State of Maryland and all comments, EPA will consider these changes and then either approve or disapprove any plan submitted by Maryland that are approvable and to propose Federal regulations for the remainder.

Massachusetts

The State of Massachusetts was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment and maintenance of the standards as noted above by May 31, 1975. As a result of Massachusetts' unresponsiveness to the Administrator's order of March 20, 1973 (38 FR 7323), the plan submitted was considered to be not in sufficient compliance with the deficiency and list the resultant exception to the approvability of the Massachusetts plans for the Metropolitan Boston intrastate region and the Hartford-New Haven-Springfield interstate region.

Minnesota

The State of Minnesota was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the carbon monoxide standards in the Minneapolis-St. Paul intrastate region. In accordance with NRDC v. EPA, this extension was rescinded and Minnesota was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Minnesota held a preliminary hearing on the proposed plan on January 16, 1973, and subsequent formal public hearings were held on February 20, 1973, and May 3, 1973. The plan, however, has not yet been submitted to the Administrator. Since the Administrator, because of the court order, must approve or disapprove State plans within 2 months after the required submission date, the Administrator is today disapproving those portions of the Minnesota implementation plan that were required to be submitted pursuant to paragraph 3 of the court order. This disapproval is based solely upon the lack of timely submittal of the plan and an expected late submittal. A proposed EPA plan will be published soon for comment.

The Governor of Minnesota is expected to submit their plan in the near future. When it is received, the Environmental Protection Agency will acknowledge, in the Federal Register, receipt of the plan and will provide an opportunity for the public to comment on that plan. All comments submitted by the public on both the EPA proposal and the anticipated Minnesota State plan will be considered. After considering the plan submitted by the State of Minnesota and all comments, the Environmental Protection Agency will take such final action as appropriate to approve all portions of any plan submitted by Minnesota that are approvable and promulgate Federal regulations for the remainder.

Missouri

The State of Missouri was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment and maintenance of the standards as noted above by May 31, 1975. This extension was rescinded and Massachusetts was directed to submit a transportation strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

On May 21, 1973, the State of Missouri submitted a regressive plan revision that utilized a lower air quality base value for computing the required degree of control to meet the air quality standards by May 31, 1975. The State indicated that the Federal motor vehicle control program plus stationary source control of carbon monoxide would be sufficient to provide the required reductions and would thus obviate the need for a transportation and/or land use control strategy. Because of the late submission of the plan revision, the Administrator has not had adequate time to evaluate public comments on the approvability of this revision. Hence, as required by the January 31, 1975, court order, the Administrator is today disapproving those portions of the Missouri implementation plan that were to be addressed.

New Jersey

On May 31, 1973 (37 FR 10842), the Administrator approved New Jersey's implementation plan for attaining the national ambient air quality standards for carbon monoxide and photochemical oxidants (hydrocarbons). He also granted the 2-year extension requested by the Governor, pursuant to section 110(e) of the Act, for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the Metropolitan Philadelphia interstate region and the New Jersey portion of the Region and the New Jersey portion of the Metropolitan Philadelphia interstate region. The basis of New Jersey's 2-year extension was that the Federal motor vehicle control program and the New Jersey motor vehicle inspection program could provide for the attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1977, without the imposition of additional transportation control measures that would be difficult to implement. These additional measures would have to be implemented to provide for attainment of the standards by May 31, 1976.

On March 20, 1973 (38 FR 7323), the Administrator, in effect, disapproved the transportation control plan previously submitted by New Jersey on January 26, 1973. Because of the stringent timetable imposed by the court decision, the State of New Jersey was unable to submit a transportation control plan for achieving the national ambient air quality standards for photochemical oxidants and carbon monoxide in both the Metropolitan Philadelphia interstate region and the New Jersey-New York-Connecticut interstate region. However, in an effort to show good faith, the Commissioner of the New Jersey Department of Environmental Protection, acting in behalf of the...
New York submitted the transportation control strategies for its portion of the New Jersey-New York-Connecticut interstate region on April 17, 1973, and for the Genesee-Finger Lakes intrastate region on April 30, 1973. The nonregulatory revision of the New York plan, which was also submitted for the Genesee-Finger Lakes intrastate region, was also submitted on April 30, 1973.

The Administrator has reviewed the control strategies submitted by the State of New York for the above-mentioned regions and has found them to be adequate for attainment and maintenance of the photochemical oxidant (hydrocarbon) standard in the Genesee-Lakes intrastate region, and for the carbon monoxide standards in the New York portion of the New Jersey-New York-Connecticut intrastate region on April 30, 1973.

Note.—This strategy could be employed singly, or in combination with any of the above strategies. Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the date required for submission of a plan, the Administrator is disapproving those portions of the New Jersey plan that were required to be submitted pursuant to paragraphs 3 and 5 of the court order. This disapproval is solely based upon the lack of timely submittal of the required strategies. Should the State of New York submit its required plan, the Environmental Protection Agency will acknowledge formal receipt of the plan through the Federal Register and will provide an opportunity for the public to comment on the State plan. All comments submitted will be considered in the plan review. The Environmental Protection Agency will then revise this disapproval notice as deemed appropriate.

New York

The State of New York was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the New York portion of the New Jersey-New York-Connecticut interstate region, for the carbon monoxide standards in the Central New York intrastate region, and for the photochemical oxidant (hydrocarbon) standard in the Genesee-Finger Lakes intrastate region.

In accordance with NRDC v. EPA, this extension was rescinded, and New York was directed to submit a transportation strategy by April 15, 1975, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.


Pursuant to the March 20, 1973, Federal Register (38 FR 7232), the State of New York submitted the transportation control strategies for its portion of the New Jersey-New York-Connecticut interstate region on April 17, 1973, and for the Genesee-Finger Lakes intrastate region on April 30, 1973. The nonregulatory revision of the New York plan, which was also submitted for the Genesee-Finger Lakes intrastate region, was also submitted on April 30, 1973.

The Administrator has reviewed the control strategies submitted by the State of New York for the above-mentioned regions and has found them to be adequate for attainment and maintenance of the photochemical oxidant (hydrocarbon) standard in the Genesee-Lakes intrastate region, and for the carbon monoxide standards in the New York portion of the New Jersey-New York-Connecticut intrastate region on April 30, 1973.

A review of the transcript of the public hearings indicates that the majority of those who testified gave strong support to the traffic control measures and emphasized the need to implement the strategies providing for improvements in mass transit. On the other hand, a majority of those who discussed specific strategies were strongly opposed to the light-duty vehicle retrofit measures.

The need for cooperation with New Jersey, a failure to provide for enough VMT reduction, and vagueness in the regulatory proposals.

As the latter indicates, however, the lack of joint governmental cooperation stems from a failure on New Jersey's part, not New York's. It is therefore inappropriately addressed under a New York heading.

There can be no question but that New York plan provides for substantial VMT reduction. Given this, EPA has concluded that New York was justified in concluding that even more would not be available by 1975. The Clean Air Act contemplatesthat States will be the initial judges of what measures to use to
improve air quality. If significant measures that result in substantial VMT reductions are provided, then EPA will not interfere with the measures the State has chosen.

Included with the implementation plan revision submitted by New York was a request by the Governor for a 2-year extension of the provisions of the plan to extend the attainment date required to be submitted pursuant to paragraph 3 of the court order. This appeal is solely based upon the lack of timely submittal of the revised plan and is not meant to reflect upon the content of any submitted revisions. A proposed EPA plan will soon be published for comment.

The Governor of Ohio is expected to submit the revised plan in the near future. When it is received, the Environmental Protection Agency will acknowledge in the Federal Register, receipt of the plan and will provide an opportunity for the public to comment on this plan. All comments submitted by the public on both the EPA proposal and the anticipated Ohio State plan will be considered. After considering the plan submitted by the State of Ohio and all comments, the Environmental Protection Agency will take such final action as appropriate to approve any plan submitted by Ohio that are approvable and promulgate Federal regulations for the remainder.

OREGON

On October 26, 1972, the State of Oregon submitted to EPA a transportation control strategy to attain the national standards for carbon monoxide and photochemical oxidants by May 31, 1975, in the Oregon portion of the Portland interstate region. On December 20, 1972, the State was notified by EPA of certain deficiencies to be corrected in the submitted plan before it could be approved by EPA.

In accordance with NRDC v. EPA, Oregon was directed to submit a transportation control strategy by April 15, 1973, that would provide for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the Oregon portion of the Portland interstate region.

On April 13, 1973, the State of Oregon transmitted to EPA a transportation control strategy for the Oregon portion of the Portland interstate region. On April 27, 1973, EPA received the strategy submitted by the State of Oregon and solicited public comments (38 FR 10466). The comments received in response to the announcement, as well as comments made at the public hearings held by the State of Oregon on March 2 and May 29, 1973, were considered by EPA in evaluating the transportation control strategy adopted by Oregon.

The subject of the March 2 hearing was a proposed regulation designating the formal plan for the interstate region where a motor vehicle emission inspection program will be implemented. In the testimony presented at the hearing the only major point of discussion was the geographic scope proposed for the inspection program. Suggestions were made to expand the scope of the inspection program to encompass the entire State or the whole Willamette Valley.

No member of the public appeared to present testimony at the State hearing held on May 29, 1973, to consider adoption of the transportation control strategy for the Portland interstate region. EPA has requested copies of the testimony presented at earlier hearings on the transportation control strategy, held by the State on October 25, 1973, and by the Portland City Council on October 12, 1972. A number of citizen groups and public agencies did participate in the development of the transportation control strategy and did present testimony at the earlier hearings.

Comments were received from the Natural Resources Defense Council and from two oil companies in response to the Federal Register notice. NRDC criticized as excessive the reductions claimed from the proposed inspection and maintenance system and the replacement of new cars by old. It also called for abandonment of the proposal to require installation of onstreet parking with new offstreet facilities. The oil companies objected to any requirement for catalytic retrofits among other points.

Based on his review of the transportation control plan submitted by the State of Oregon for the Oregon portion of the Portland interstate region and the comments submitted in response to the announcement in 38 FR 10466, the Administrator has found the Oregon submission to be adequate, with certain exceptions, for attainment of national ambient air quality standards. The basis for this determination is contained in an evaluation report available to the public at the library of the Environmental Protection Agency, Office of Public Affairs, 401 M Street SW., Washington, D.C. 20460.

PENNSYLVANIA

The State of Pennsylvania was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) and carbon monoxide standards in the southwest Pennsylvania intrastate region and for the carbon monoxide standards in the Pennsylvania portion of the Metropolitan Philadelphia interstate region.

In accordance with NRDC v. EPA, this extension was rescinded, and Pennsylvania was directed to submit a transportation control strategy by April 15, 1973, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Pennsylvania held public hearings on the Pennsylvania portion of the Metropolitan Philadelphia interstate region and on the southwest Pennsylvania intrastate region on April 5 and 6, 1973, respectively. Attendees at both hearings included representatives of commerce, business, government, and citizen environmental groups, as well as private citizens.
Participants in the Philadelphia hearings voiced strong support for improved mass transit with fringe parking and unified fares; a public hearing to extend the regional extension, and several speakers recommended a horsepower surtax and use of highway trust funds for mass transit. The Pittsburgh hearing included numerous representatives, which were voiced strong support for state inspection systems, and substantial opposition to vehicle restraints.

The Governor of Pennsylvania submitted the plan for the State of Pennsylvania on April 13, 1972, and requested a 2-year extension (pollutants not stated) based on public opposition to direct restraints and the unavailability of adequate funding for transit expansion. The plan for the Metropolitan Philadelphia interstate region is based on the assumption that carbon monoxide concentrations in the district are 50 percent higher than at the continuous air monitoring project (CAMP) station whose readings provided the approved air quality data base presented in the basis implementation plan submitted on January 27, 1972.

Upon receipt of the plan, EPA published notice of its arrival in the Pennsylvania Resources, 38 FR 10120 (Apr. 24, 1973), and invited comments. Comments were received from industry, public environmental organizations, chambers of commerce, governmental organizations, and private individuals; comments by governmental and environmental organizations emphasized the inadequacy of the plan, and the business community expressed concern over the proposed vehicle restraints.

The comments submitted by the Natural Resources Defense Council deserve special mention. They claimed that, although several promising strategies had been put forth by the State, the plan faltered both to state unequivocally that the most effective inspection and maintenance system cannot be justified when more effective systems are available. The State of Texas failed to state unequivocally that the air quality baseline exist in Philadelphia, appropriate revisions of the plan would be required. Although supporting computations for a higher air quality baseline were present in the earlier (Dec. 20, 1973) version of the plan, no such data were included in the final plan as submitted.

Because the court order requires the Administrator to approve or disapprove State plans within 2 months after the basis implementation plan is submitted, the Administrator is approving those portions of the Pennsylvania plan that satisfy the requirements of 40 CFR, pt. 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will be published soon for comment and will be promulgated on August 15, 1973, as required by the Clean Air Act.

TEXAS

The State of Texas was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the photochemical oxidant (hydrocarbon) standards in the Corpus Christi-Victoria and Metropolitan Houston-Galveston intrastate region. In accordance with NRDC v. EPA, the extension was rescinded, and Texas was directed to submit a transportation strategy by April 15, 1975, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975. In addition, Texas was directed to submit a transportation strategy for photochemical oxidants (hydrocarbons) in the Austin-Waco intrastate region, the San Antonio intrastate region, and the El Paso-Las Cruces-Alamorgordo intrastate region.

Prior to adoption of a plan, the State must provide a public hearing to receive testimony regarding the proposed plan. The State of Texas held hearings on April 4, 1973, in Dallas, Houston, and San Antonio, Tex. However, the principal portions or revisions in the control strategy were not available for public inspection and public comment prior to the public hearings. Testimony given at the hearings, as well as written inquiries to the Administrator, substantiate this deficiency. Therefore, it is the opinion of the Administrator that the plan revision submitted by the State of Texas for control of hydrocarbon emissions cannot be considered as having met the minimum requirements of § 51.4.

It has been determined after review that the material submitted by Texas, although put forth, would not adequately meet, except in the Corpus Christi-Victoria intrastate region, that the plan meets the requirements of § 51.4. A summary of this review is contained in "Proposed Control Strategy to Meet Ambient Air Quality Standards for Photochemical Oxidants in Texas," which is available both at the Freedom of Information Center, EPA, room 329, 401 M Street SW., Washington, D.C. 20460, and at the Office of Public Affairs, EPA Region VI, 1600 Patterson Street, Suite 1100, Dallas, Tex. 75201.

The State's control strategy for reducing hydrocarbon emissions in the Corpus Christi-Victoria intrastate region is not to be adequate for attainment of the national standard for photochemical oxidants by May 31, 1975. However, since the State failed to hold adequate public hearings, the Administrator has not rescinded the plan. Upon completion of adequate public hearings by Texas, this notice will be rescinded accordingly.

Included with the implementation plan revision submitted by Texas was a request by the Governor of Texas for an extension until 1977 for the attainment of the primary standard for photochemical oxidants in all air quality control regions in the State. The Administrator does not consider the justification adequate for granting such extensions.

UTAH

The State of Utah was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of the standards for carbon monoxide in the Wasatch Front intrastate region. In accordance with NRDC v. EPA, this extension was rescinded, and Utah was directed to submit a transportation strategy by April 15, 1975, that would provide for the attainment and maintenance of the standards as noted above by May 31, 1975.

The State of Utah held a public hearing on March 26, 1973, at which time the revised transportation and land-use control plan was presented to the participants.


One comment was received from the Natural Resources Defense Council. It stated that the State had not shown how the strategies proposed would achieve the reductions claimed for them; that they were not supported by the required legal authority, draft revisions, or timetables for implementation; and that the State had failed to adopt any VMT reduction measures, even though...
the standards would not be achieved without them.

The Administrator has reviewed the control strategies submitted and finds them adequate, with the exceptions noted below in the applicable regulations. An evaluation report that provides the rationale for the above determination is available for public inspection at the Office of Public Affairs, Environmental Protection Agency, Region VIII, Lincoln Street, Denver, Colo., and at the Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

A request for an extension of time for the attainment of the carbon monoxide standard is disapproved at this time because of a lack of sufficient supporting information.

VIRGINIA

Although neither the court order nor the March 20, 1973, amendments to 40 CFR part 52 applies directly to Virginia, their application to Maryland impacts on the National Interstate region, thus requiring coordinated action by Virginia and the District of Columbia as well as Maryland. The Virginia plan was coordinated with Maryland and the District of Columbia, and comprises the 1975 attainment plan of the National Capital Interstate Air Quality Planning Committee forwarded to the two Governors and the Mayors-Commissioner on January 31, 1973. The emission inventory and planned reductions are on an interstate regional basis, and have not been factored for Virginia's portion of the region.

The State of Virginia held public hearings on the proposed plan for Virginia's portion of the National Capital Interstate region. Comments by representatives from government, industry, and citizen groups indicated overwhelming support for improved mass transit, some determined resistance to any controls that could conceivably destroy the auto-dominant life style, and substantial objections to catalytic retrofit, gasoline rationing, and retrofit of vapor recovery devices.

The Governor of Virginia submitted a plan for the State of Virginia on April 11, 1973. The plan is based on the recommendations of the National Capital Interstate Air Quality Planning Committee, and includes a broad spectrum of control measures for both stationary and mobile sources. The Governor requested a 2-year extension based on the unavailability of either catalytic converters or gasoline service station vapor recovery systems for dispensing-pump nozzles by May 31, 1975.

Upon receipt of the plan, EPA published notice of its arrival in the Federal Register, 38 FR 10119 (Apr. 24, 1973), and invited public comment. Comments were received from industry, public environmental organizations, chambers of commerce, governmental agencies, and private individuals. Environmental organizations for the exception, industry emphasized the impossibility of installing vapor recovery devices on underground gasoline tanks before 1980, and commercial representatives voiced strong objections to the prohibition of heavy-duty gasoline truck deliveries after 6 p.m. to 6 a.m.

The comments submitted by the Natural Resources Defense Council deserve special mention. They objected to the lack of detailed regulations, to the failure to specify an idle test or a loaded test would be selected for the inspection and maintenance program, and to the lack of VMT reduction measures. They suggested that the supply was not nearly the obstacle to expansion of mass transit facilities by 1975 that Virginia had claimed.

Upon review of the plan, the Administrator has determined that the proposed plan will not be subject to the 2-year contest period of 40 CFR part 51, and is disapproving those parts of the plan that are deficient. A proposed EPA plan that remedies these deficiencies will soon be published for comment, and will be promulgated on August 15, 1973, as required by the Clean Air Act.

WASHINGTON

The State of Washington was granted, pursuant to section 110(e) of the act, an extension of 2 years for the attainment of carbon monoxide standards in the Puget Sound intrastate region and the Washington portion of the Eastern Washington-Northern Idaho Interstate Region, and for photochemical oxidant (hydrocarbon) standards in the Puget Sound Intrastate Region.

In accordance with NRDC v. EPA, this extension was rescinded, and Washington was directed to submit a transportation strategy by April 15, 1973, that would provide an attainment and maintenance of the standards as noted above by May 31, 1975.

Many individuals expressed concern that the exclusion of heavy-duty vehicles and the inspection and maintenance of light-duty vehicles varied. They expressed concern that the prohibition of heavy-duty gasoline service station vapor recovery systems for dispensing-pump nozzles by May 31, 1975, and the inspection and maintenance of light-duty vehicles.

Many individuals expressed concern that the exclusion of heavy-duty vehicles from the central business district would create hardships and economic losses. Most of those commenting at the hearings voiced reservations about the effectiveness, feasibility of implementation, and enforceability of an intermittent control strategy, and the exclusion of light- and heavy-duty vehicles. The generally held opinion appeared to be that intermittent exclusion, if adopted by the State, should be implemented only as an interim or contingency measure; i.e., all other possible measures should be explored and implemented first.

Other comments about intermittent exclusion were that exclusion of light- and heavy-duty vehicles during peak traffic periods may be less detrimental to the viability of the central business district than the proposed exclusion during non-peak periods; that the number of days requiring exclusion may exceed State estimates; and that exclusion may decrease property values and create tax burdens.

Comments made at the hearings on the inspection and maintenance measure dealt with the need for cost control installation, the desirability of random rather than mandatory inspections, and the insufficiency of the evidence of retrofit success. Continuous measures such as inspection and maintenance programs appear more acceptable to citizens than intermittent measures.

At the hearings, several persons also indicated that the complete State transportation control plan was not available long enough before the hearing for adequate review. Another frequently expressed concern was that socioeconomic studies and ambient air quality measurements upon whom the plan was based were limited.

Upon receipt of the Washington plan, EPA published notice of its arrival in the Federal Register, 38 FR 10465 (Apr. 27, 1973), and invited comments. The comments received in response to the announcement, as well as comments made at the public meetings held by the State of Washington on April 11 and 12, 1973, were considered by EPA in evaluating the transportation control strategies adopted by Washington. The Natural Resources Defense Council objected to the proposed use of episodic controls to achieve the CO standard, arguing that they are unreliable; argued that oxidant control measures are needed as well; and called for steps to reduce VMT. The only other comments received were from two oil companies who questioned the availability of catalytic retrofits, among other points.

Based on his review of the materials submitted, the Administrator has determined that the intermittent control strategies have not been adequate means of achieving air quality standards. In addition, other portions of the plan lack the required detail. In the submitted materials, the Administrator specified that the measurements of oxidant concentrations, upon which the original EPA requirement for a transportation
control strategy for the Puget Sound intrastate region was based, are invalid and that no reduction in hydrocarbon emission beyond those achievable through the increasingly stringent Federal emissions beyond those achievable vehicles will be required to attain the oxidant standard by 1975. EPA has requested further substantiation of this claim and a demonstration that no further reduction in hydrocarbon emissions is required.

Based on his review of the transportation strategies submitted by the State of Washington for the Puget Sound intrastate region and the Washington portion of the eastern Washington-northern Idaho interstate region; of the transcripts from the State hearings held on April 11 and 12, 1973; and of the comments received in response to the announcement in 38 FR 10464, the Administrator has found the Washington submission to be adequate, with certain exceptions, for the attainment of the standards in both the Puget Sound intrastate region and the Washington portion of the eastern Washington-northern Idaho interstate region. The basis for this determination is available to the public in report form at the library of the Environmental Protection Agency, Office of Public Affairs, 401 M Street SW, Washington, D.C. 20460.


ROBERT W. Peck, Acting Administrator.

Note.—Pursuant to § 52.02(d), incorporation by reference of approved provisions of State plans was approved by the Director of the Federal Register on May 18, 1973.

Part 52 of Chapter I, Title 40, of the Code of Federal Regulations is amended as follows:

Subpart B—Alabama

1. Section 52.50 is amended by revising paragraph (c) to read as follows:

§ 52.50 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 21, April 18, and April 30, 1972, by the Alabama Air Pollution Control Commission, and

(2) April 24, 1973.

§ 52.54 [Amended]

2. Section 52.54 is amended by revising the attainment date table as follows: The date “May 31, 1975, e” for attainment of the national standards for carbon monoxide in the Metropolitan Birmingham Intrastate Region and the national standard for photochemical oxidants (hydrocarbons) in the Metropolitan Birmingham Intrastate Region and the Mobile (Ala.)—Pensacola—Panama City (Fla.)—Southern Mississippi Interstate Regions, is replaced with the date “May 31, 1976.”
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(1) Control strategies for sulfur oxides and particulate matter were defined by the District’s “Implementation Plan for Controlling Sulfur Oxide and Particulate Air Pollutants” which was submitted on August 14, 1970.

(2) April 28, 1972, by the District of Columbia, and

(3) April 19, 1972.

Subpart J is amended by adding § 52.474 as follows:

§ 52.474 Legal authority.

(a) The requirements of § 51.11(c) of this chapter are not met because the plan does not contain copies of regulations allowing for improved regional transit that involves purchasing of buses and establishment of appropriate routes and express bus lanes; inspection and retrofit of motor vehicles; and imposition of parking surcharges. The plan does not include regulations required for control of heavy-duty vehicle deliveries, reduction of evaporative losses from gas handling and dry cleaning, and imposition of contingency gas rationing measures. 15. Subpart J is amended by adding § 52.479 as follows:

§ 52.479 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because the plan does not include adequate procedures for determining emission reductions achieved from any of the proposed transportation control measures.

16. Subpart J is amended by adding § 52.483 as follows:

§ 52.483 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(e)(2) of this chapter are not met because the plan only identifies and does not describe enforcement methods and because the plan does not contain proposed rules and regulations for the selected transportation strategies.

(b) The requirements of § 51.14(c) of this chapter are not met because the plan neither demonstrates that proposed control strategies are adequate to attain and maintain national standards, nor does the plan state which contingency control measures specifically would be imposed, and, except for potential gas rationing, whether their predicted effect would be adequate to attain and maintain national standards. Reduction claims for retrofit vapor recovery, and aircraft taxing controls are unduly optimistic. The inspection and maintenance portion of the plan does not explain how consistent failure criteria have been or will be established; nor does the plan include a program of enforcement to ensure against post-inspection adjustments or modifications. The plan does not explain who will be responsible for implementing the training program for mechanics and other personnel. Though the light-duty retrofit strategy is acceptable, it cannot be implemented by May 31, 1976, and thus is disapproved for attainment by May 31, 1975.

17. Subpart J is amended by adding § 52.484 as follows:

§ 52.484 Resources.

The requirements of § 51.20 of this chapter are not met because the plan does not include a discussion of additional State resources that may be required, including projections for 5 years.

18. Subpart J is amended by adding § 52.485 as follows:

§ 52.485 Intergovernmental cooperation.

The requirements of § 51.21(b)(2) of this chapter are not met because the responsibilities of various agencies in carrying out proposed transportation control measures are not identified.

Subpart O—Illinois

19. Section 52.720 is amended by revising paragraph (c) to read as follows:

§ 52.720 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 13 and April 18, 1972, by the Illinois Environmental Protection Agency.

(2) May 4, 1972, and


20. Subpart O is amended by adding § 52.729 as follows:

§ 52.729 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because transportation and/or land-use control strategies and a demonstration that such strategies along with the Federal motor vehicle control program, will attain and maintain the national standards for carbon monoxide in the Illinois portion of the Metropolitan Chicago interstate region by May 31, 1975, have not been adopted for submission as required.

Subpart P—Indiana

21. Subpart P is amended by revising § 52.777 as follows:

§ 52.777 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the Metropolitan Indianapolis Intra-state region by May 31, 1975.

22. Subpart P is amended by adding § 52.785 as follows:

§ 52.785 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Metropolitan Indianapolis Intra-state region by May 31, 1975.

Subpart R—Kansas

23. Section 52.870 is amended by revising paragraph (c) to read as follows:

§ 52.870 Identification of plan.

(c) Supplemental information was submitted on:

(1) March 24, 1972, by the Kansas Department of Health, and


24. Subpart R is amended by adding § 52.881 as follows:

§ 52.881 Control strategy: Carbon monoxide.

(a) Due to late submission of the plan revisions, the Administrator disapproves this section of the plan because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision and complete his evaluation by June 15, 1973.

Subpart T—Louisiana

25. Section 52.970 is amended by revising paragraph (c) to read as follows:

§ 52.970 Identification of plan.

(c) Supplemental information was submitted on:

(1) February 28 and March 8, 1972, by the Louisiana Air Control Commission, and


26. Section 52.973 is amended by revising paragraph (a) to read as follows:

§ 52.973 Control strategy: Photochemical oxidants (hydrocarbons).

(a) The revision to Louisiana’s plan for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) in the southern Louisiana-southeast Texas interstate region is disapproved because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision by June 15, 1973.

§ 52.979 [Amended]

27. Section 52.979 is amended by revising the attainment date table as follows:

The date “May 31, 1975,” for the attainment of the national standard for photochemical oxidants (hydrocarbons) in the southern Louisiana-southeast Texas interstate region is replaced with the date “May 31, 1975”.

§ 52.982 [Revoked]

28. Section 52.982 is revoked.

Subpart V—Maryland

29. Section 52.1070 is amended by revising paragraph (c) to read as follows:

§ 52.1070 Identification of plans.

(c) Supplemental information was submitted on:

(1) February 25, March 3, March 7, April 4, April 28, and May 8, 1972, by the
30. Section 52.1079 is amended by revising paragraph (a)(1) to read as follows:

§ 52.1079 Transportation and land use controls.

(a) * * *

(1) No later than April 15, 1979, transportation and/or land use control strategies and a demonstration that said strategies, along with Maryland’s presently adopted stationary source emission limitations for carbon monoxide and hydrocarbons and the Federal motor vehicle control program, will attain and maintain the national standards for carbon monoxide and photochemical oxidants in the Metropolitan Baltimore intrastate and the Maryland portion of the National Capital interstate regions by May 31, 1975. By such date (April 15, 1979), the State also must submit a detailed timetable for implementing the transportation and/or land use control strategies by May 31, 1975.

* * *

31. Section 52.1074 is amended by adding paragraph (b) as follows:

§ 52.1074 Legal authority.

* * *

(b) The requirements of § 51.11(c) of this chapter are not met because the plan does not contain or show the availability of legal authority claimed to exist.

32. Subpart V is amended by adding § 52.1080 as follows:

§ 52.1080 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14(a) (1) and (b) of this chapter are not met because the strategies to control vehicle use are not defined well enough to ensure that Maryland will achieve the required degree of emission reduction needed to attain and maintain the national standards for photochemical oxidants and carbon monoxide in the Maryland portion of the National Capital interstate region. Except for proposing an annual inspection program, the plan does not include failure criteria, corrective maintenance provisions, or postinspection enforcement procedures. No information on the availability of adequate supplies of lead-free gasoline is provided. The catalytic retrofit control measure cannot be implemented in time to contribute to attainment of the national standard by May 31, 1975. Furthermore, there is inadequate assurance that a heavy-duty retrofit program or a heavy-duty inspection program can be implemented within the 1975 time frame.

(b) The requirements of § 51.14(a) (2) of this chapter are not met because the plan does not specify enforcement methods or contain proposed rules and regulations, administrative procedures, or a schedule for achieving implementation milestones.

(c) The requirements of § 51.14(c) (1) of this chapter are not met because the transportation control strategies are not defined well enough to assure that buildup of pollutant concentrations will not occur.

(d) The requirements of § 51.14(d) of this chapter are not met for the Maryland portion of the National Capital interstate region because a summary of updated emission data was not provided.

(e) The requirements of § 51.14(g) of this chapter are not met for the Maryland portion of the National Capital interstate region because the plan does not include a 3-month summary of current air quality data together with appropriate justification for use of the data and an explanation of their comparability with correspondingly current emissions data. The requirements of § 51.14(g) of this chapter are not met for the Metropolitan Baltimore intrastate region because the plan does not provide for appropriate justification for the use of current air quality data by virtue of its not providing correspondingly current emissions data.

33. Section 52.1077 is amended by adding paragraph (b) as follows:

§ 52.1077 Source surveillance.

* * *

(b) The requirements of § 51.19(d) of this chapter are not met for the Metropolitan Baltimore intrastate region or the Maryland portion of the National Capital interstate region because the plan does not include procedures for determining emission reductions achieved from any of the proposed transportation control measures.

34. Subpart V is amended by adding § 52.1083 as follows:

§ 52.1083 Resources.

The requirements of § 51.20 of this chapter are not met for the Metropolitan Baltimore intrastate region or the Maryland portion of the National Capital interstate region because the plan does not include a discussion of the adequacy of existing State resources and does not say whether additional State resources, including projections for 5 years, will be required to carry out any of the proposed transportation control measures.

35. Subpart V is amended by adding § 52.1084 as follows:

§ 52.1084 Intergovernmental cooperation.

The requirements of § 51.21 of this chapter are not met for the Maryland portion of the National Capital interstate region because the responsible State agencies in carrying out proposed transportation control measures are not identified.

36. Section 52.1072 is amended by adding paragraph (b) as follows:

§ 52.1072 Extensions.

* * *

(b) The requested 2-year extension for attainment of the national carbon monoxide and photochemical oxidants standards in the Metropolitan Baltimore intrastate and in the Maryland portion of the National Capital interstate regions cannot be granted because the proposed Maryland control strategies do not provide for attainment of these standards by May 31, 1975, or attainment of these standards as expeditiously as practicable, and do not provide for interim measures.

Subpart W—Massachusetts

37. Subpart W is amended by adding § 52.1129 as follows:

§ 52.1129 Control strategy: Photochemical oxidants (hydrocarbons) and carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for photochemical oxidants (hydrocarbons) and carbon monoxide in the Metropolitan Boston intrastate region and for carbon monoxide in Massachusetts’ portion of the Hartford-New Haven-Springfield interstate region by May 31, 1975.

Subpart Y—Minnesota

38. Subpart Y is amended by adding § 52.1228 as follows:

§ 52.1228 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14 of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide in the Minneapolis-St. Paul intrastate region by May 31, 1975.

Subpart AA—Missouri

39. Section 52.1320 is amended by revising paragraph (c) to read as follows:

§ 52.1320 Identification of plan.

* * *

(c) Supplemental information was submitted on:

(1) February 28, March 27, May 2, July 12, and August 8, 1972, by the Missouri Air Conservation Commission.


40. Subpart AA is amended by adding § 52.1334 as follows:

§ 52.1334 Control strategy: Carbon monoxide.

(a) Due to the late submission of the plan revisions, the Administrator disapproves this portion of the plan because there was insufficient time to analyze and/or include public comment in the approval/disapproval decision and complete his evaluation by June 15, 1973.
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(1) February 9, 11, and 14 and March 10, 1972.

(2) April 17, 19, and 30, May 2, 16, and 21 and June 11, 1972.

43. Section 52.1672 is amended by adding paragraph (c) as follows:

§ 52.1672 Extensions.

(c) The Administrator hereby extends

until December 31, 1976, the attainment
date for the:

(1) National standards for carbon

monoxide in the New York portion of

the New Jersey-New York-Connecticut

interstate region.

(2) National standard for photochem-

ical oxidants in the New York portion

of the New Jersey-New York-Connecticut

interstate region.

44. In § 52.1682 the table is revised to

read as follows:

§ 52.1682 Attainment dates for national

standards.

The following table presents the latest
dates by which the national standards
are to be attained. These dates reflect
the information in New York’s plan, ex-
cept where noted.

<table>
<thead>
<tr>
<th>Region</th>
<th>Primary</th>
<th>Secondary</th>
<th>Primary</th>
<th>Secondary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sulfur oxides</td>
<td>Nitrogen dioxide</td>
<td>Carbon monoxide</td>
<td>Photochemical oxidants (hydrocarbons)</td>
</tr>
</tbody>
</table>
| Genesee–Finger Lakes Intra-
| Southern Tier Plateau Intra-
| New York-Connecticut Intra-

Note: Dates or footnotes that are in italic are proposed
by the Administrator because the plan either did not
provide a specific date or the date provided was not acceptable.

* = 5 years from plan approval or promulgation.
* = 5 years from plan approval or promulgation.
* = Air quality levels presently below primary standards.
* = Air quality levels presently below secondary standards.

45. Section 52.1683 is revised to read as follows:

§ 52.1683 Transportation and land use
controls.

(a) To complete the requirements of
§ 51.11 and § 51.14 of this chapter, the
Governor of New York must submit to the
Administrator: (1) No later than
July 30, 1973, the legislative authority
that is needed for carrying out the trans-
portation and/or land use control strate-
gies; (2) No later than December 30, 1973,
the necessary adopted regulations
and administrative policies needed to
implement such strategies.

46. Subpart KK is amended by add-
ing § 52.1677 as follows:

§ 52.1677 Control strategy: Photochem-
ical oxidants (hydrocarbons).

(a) The requirements of § 51.14 of this
chapter are not met because the plan
does not provide for attainment and
maintenance of the national standards
for photochemical oxidants (hydrocar-
bons) in the New York portions of the
New Jersey-New York-Connecticut
interstate regions.

(b) The requirements of § 51.14 of this
chapter are not met because the trans-
portation control plan does not con-
tain provisions for determining what
emission reductions are actually achieved
by the inspection and maintenance
strategy.
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§ 52.2031 Resources.

(b) The requirements of § 51.20 of this chapter are not met because the plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out designated portions of the plan.

§ 52.2032 Intergovernmental cooperation.

(a) The requirements of § 51.21(b) of this chapter are not met because the plan does not identify other State or local agencies or their responsibilities for implementing and carrying out designated portions of the plan.

(b) The requirements of § 51.21(c) of this chapter are not met because the plan does not contain adequate information showing why the inspection program cannot be in operation in time to attain the standard by 1975; because the State does not consider and apply reasonably available alternative means of attaining the standard, including measures to reduce vehicle miles traveled, and because a phased implementation of the inspection program consisting of interim steps has not been discussed or proposed.

§ 52.2035 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of §§ 51.14(b) and 51.14(c) of this chapter are not met because the strategies to restrain vehicle use are not defined and qualified well enough to ensure that the necessary reductions in carbon monoxide and hydrocarbons will be achieved; the plan does not provide provisions for preventing increases in concentrations resulting from traffic increases; and the plan lacks a summary of data and calculations used to develop the proposed control measures.

Subpart SS—Texas

56. Section 52.2370 is amended by revising paragraph (c) to read as follows:

§ 52.2370 Identification of plan.

(c) Supplemental information was submitted on:

(1) February 25 and May 2 and 3, 1972, by the Texas Air Control Board,
(2) July 31, 1972, and

Subpart SS is amended by adding § 52.2382 as follows:

§ 52.2382 Public hearings.

(a) The requirements of § 51.4 of this chapter are not met because principal portions of the revised plan were not made available to the public for inspection and comment prior to the hearing.

Subpart TT—Utah

58. Section 52.2332 is amended by revising paragraph (c) to read as follows:

§ 52.2332 Identification of plan.

(c) Supplemental information was submitted on:

(1) May 4, 1972, by the Virginia Air Pollution Control Board, and

59. Section 52.2322 is amended by adding paragraph (a) as follows:

§ 52.2322 Extensions.

(a) Utah’s request for a 2-year extension for attainment of the national standard for carbon monoxide in the Wasatch Front intrastate region cannot be granted since it does not contain adequate information showing why the inspection program cannot be in operation in time to attain the standard by 1975; because the State has not considered and applied reasonably available alternative means of attaining the standard, including measures to reduce vehicle miles traveled, and because a phased implementation of the inspection program consisting of interim steps has not been discussed or proposed.

60. Section 52.2329 is amended by adding paragraph (b) as follows:

§ 52.2329 Resources.

(b) The requirements of § 51.20 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.

61. Subpart TT is amended by adding § 52.2355 as follows:

§ 52.2355 Control strategy: Carbon monoxide.

(a) The requirements of § 51.14(a) (2) of this chapter are not met because the transportation control plan does not contain an adequate description of proposed enforcement methods and designation of responsibilities, proposed rules and regulations, proposed administrative procedures to be used, and schedule of the dates by which significant steps in certain strategies will be achieved.

(b) The requirements of § 51.14(c) of this chapter are not met because the plan does not provide for the attainment and maintenance of the national standards for carbon monoxide in the Wasatch Front Intrastate Region by May 31, 1975.

62. Subpart TT is amended by adding § 52.2336 as follows:

§ 52.2336 Source surveillance.

(a) The requirements of § 51.19(d) of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) as expeditiously as practicable, as evidenced by the State’s failure to propose interim control measures to be implemented during the 2-year period for which an extension to attain the national standards was requested.

63. Section 52.2427 is amended by adding paragraph (c) as follows:

§ 52.2427 Source surveillance.

(c) The requirements of § 51.19(d) of this chapter are not met because the plan does not contain a description of enforcement methods for all control measures to be implemented as a result of implementing the proposed transportation control measures.

64. Section 52.2424 is amended by adding paragraph (b) as follows:

§ 52.2424 General requirements.

(b) The requirements of § 51.10(b) of this chapter are not met because the plan does not provide for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) as expeditiously as practicable, as evidenced by the State’s failure to propose interim control measures to be implemented during the 2-year period for which an extension to attain the national standards was requested.

65. Section 52.2427 is amended by adding paragraph (c) as follows:

§ 52.2427 Source surveillance.

(c) The requirements of § 51.19(d) of this chapter are not met because the plan does not provide procedures for determining actual emission reductions achieved as a result of implementing the proposed transportation control measures.

66. Section 52.2428 is amended by adding paragraph (c) as follows:

§ 52.2428 Request for 2-year extensions.

(c) The 2-year extension requested for attainment and maintenance of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in Virginia’s portion of the National Capital interstate region cannot be granted because the plan does not provide reasonable interim control measures.

§ 52.2429 [Amended]

67. In § 52.2429, the attainment date table is amended by replacing the date January 1975 for attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) in the National Capital interstate region with the date “May 31, 1975.”

68. Subpart VV is amended by adding § 52.2430 as follows:

§ 52.2430 Legal authority.

(a) The requirements of § 51.11(c) of this chapter are not met because the plan does not identify or provide copies of laws or regulations, necessary for carrying out the proposed transportation control measures.

69. Subpart VV is amended by adding § 52.2431 as follows:

§ 52.2431 Control strategy: Carbon monoxide and photochemical oxidants (hydrocarbons).

(a) The requirements of § 51.14(a) (2) of this chapter are not met because the plan does not provide a description of enforcement methods for all control measures, proposed rules and regulations for all control measures, or a schedule designating dates by which significant steps of the plan and each control measure will be implemented.

FEDERAL REGISTER, VOL. 38, NO. 120—FRIDAY, JUNE 22, 1973
The requirements of § 51.14(b) of this chapter are not met because the plan contains a catalytic retrofit control measure which cannot be implemented in time to contribute to the attainment of the national standards for carbon monoxide and photochemical oxidants (hydrocarbons) by May 31, 1975.

The requirements of § 51.14(c) of this chapter are not met because the plan does not demonstrate that the proposed control measures are adequate for attainment and maintenance of the national standards.

The requirements of § 51.14(g) of this chapter are not met because a justification is not provided in the plan for the air quality data used as a baseline for plan development.

Subpart VV is amended by adding § 52.2432 as follows:

§ 52.2432 Resources.

(a) The requirements of § 51.20 of this chapter are not met because the plan does not contain a sufficient description of resources available to local agencies, and of additional resources needed to carry out the plan during the 5-year period following submittal.

Subpart VV is amended by adding § 52.2433 as follows:

§ 52.2433 Intergovernmental cooperation.

(a) The requirements of § 51.21 of this chapter are not met because the plan does not adequately identify the State and local agencies, and their responsibilities, involved in carrying out the proposed transportation control measures.

Subpart VV is amended by adding § 52.2434 as follows:

§ 52.2434 Transportation and land use controls.

(a) To complete the requirements of §§ 51.11(b) and 51.14 of this chapter, the Governor of Virginia must submit to the Administrator:

(1) No later than July 31, 1973, the legislative authority that is needed for carrying out the required transportation control alternatives.

(2) No later than December 31, 1973, the necessary adopted regulations and administrative policies needed to implement the transportation control alternatives.

Subpart WW—Washington

73. Section 52.2470 is amended by revising paragraph (c) to read as follows:

§ 52.2470 Identification of plan.


Subpart WW is amended by adding § 52.2477 as follows:

§ 52.2477 Source surveillance.

(a) The requirements of § 51.14(c) of this chapter are not met because the transportation control plan does not provide adequate assurance that air quality surveillance systems sufficient to establish the efficacy of the selected transportation control measures in attainment of standards in both the Puget Sound intrastate region and the Washington portion of the Eastern Washington-Northern Idaho interstate region and of national standards for photochemical oxidants (hydrocarbons) in the Puget Sound intrastate region by May 31, 1975.

Subpart WW is amended by adding § 52.2482 as follows:

§ 52.2482 Air quality surveillance.

(a) The requirements of § 51.17(a) (1) of this chapter are not met because the transportation control plan does not provide adequate assurance that air quality surveillance systems sufficient to establish the efficacy of the selected transportation control measures in attainment of standards in both the Puget Sound intrastate and Eastern Washington-Northern Idaho interstate regions will be implemented and operated.

Subpart WW is amended by adding § 52.2483 as follows:

§ 52.2483 Resources.

(a) The requirements of § 51.20 of this chapter are not met because the transportation control plan does not contain a sufficient description of resources available to the State and local agencies and of additional resources needed to carry out the plan during the 5-year period following submittal.