

Environmental Protection Agency

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at which time the area is again required to submit such plans.

§51.1005 One-year extensions of the attainment date.

(a) Pursuant to section 172(a)(2)(C)(ii) of the Act, a State with an area that fails to attain the PM_{2.5} NAAQS by its attainment date may apply for an initial 1-year attainment date extension if the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and:

(1) For an area that violates the annual PM_{2.5} NAAQS as of its attainment date, the annual average concentration for the most recent year at each monitor is 15.0 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(2) For an area that violates the 24-hour PM_{2.5} NAAQS as of its attainment date, the 98th percentile concentration for the most recent year at each monitor is 65 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(b) An area that fails to attain the PM_{2.5} NAAQS after receiving a 1-year attainment date extension may apply for a second 1-year attainment date extension pursuant to section 172(a)(2)(C)(ii) if the State has complied with all requirements and commitments pertaining to the area in the applicable implementation plan, and:

(1) For an area that violates the annual PM_{2.5} NAAQS as of its attainment date, the two-year average of annual average concentrations at each monitor, based on the first extension year and the previous year, is 15.0 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

(2) For an area that violates the 24-hour PM_{2.5} NAAQS as of its attainment date, the two-year average of annual 98th percentile concentrations at each monitor, based on the first extension year and the previous year, is 65 µg/m³ or less (calculated according to the data analysis requirements in 40 CFR part 50, appendix N).

§51.1006 Redesignation to nonattainment following initial designations for the PM_{2.5} NAAQS.

Any area that is initially designated “attainment/unclassifiable” for the PM_{2.5} NAAQS may be subsequently redesignated to nonattainment if ambient air quality data in future years indicate that such a redesignation is appropriate. For any such area that is redesignated to nonattainment for the PM_{2.5} NAAQS, any absolute, fixed date that is applicable in connection with the requirements of this part is extended by a period of time equal to the length of time between the effective date of the initial designation for the PM_{2.5} NAAQS and the effective date of redesignation, except as otherwise provided in this subpart.

§51.1007 Attainment demonstration and modeling requirements.

(a) For any area designated as nonattainment for the PM_{2.5} NAAQS, the State must submit an attainment demonstration showing that the area will attain the annual and 24-hour standards as expeditiously as practicable. The demonstration must meet the requirements of §51.112 and Appendix W of this part and must include inventory data, modeling results, and emission reduction analyses on which the State has based its projected attainment date. The attainment date justified by the demonstration must be consistent with the requirements of §51.1004(a). The modeled strategies must be consistent with requirements in §51.1009 for RFP and in §51.1010 for RACT and RACM. The attainment demonstration and supporting air quality modeling should be consistent with EPA’s PM_{2.5} modeling guidance.

(b) *Required time frame for obtaining emissions reductions.* For each nonattainment area, the State implementation plan must provide for implementation of all control measures needed for attainment as expeditiously as practicable, but no later than the beginning of the year prior to the attainment date. Consistent with section 172(c)(1) of the Act, the plan must provide for implementation of all RACM and RACT as expeditiously as practicable. The plan also must include RFP milestones in accordance with

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§ 51.1009, and control measures needed to meet these milestones, as necessary.

§ 51.1008 Emission inventory requirements for the PM_{2.5} NAAQS.

(a) For purposes of meeting the emission inventory requirements of section 172(c)(3) of the Act for nonattainment areas, the State shall, no later than three years after designation:

(1) Submit to EPA Statewide emission inventories for direct PM_{2.5} emissions and emissions of PM_{2.5} precursors. For purposes of defining the data elements for these inventories, the PM_{2.5} and PM_{2.5} precursor-relevant data element requirements under subpart A of this part shall apply.

(2) Submit any additional emission inventory information needed to support an attainment demonstration and RFP plan ensuring expeditious attainment of the annual and 24-hour PM_{2.5} standards.

(b) For inventories required for submission under paragraph (a) of this section, a baseline emission inventory is required for the attainment demonstration required under § 51.1007 and for meeting RFP requirements under § 51.1009. As determined on the date of designation, the base year for this inventory shall be the most recent calendar year for which a complete inventory was required to be submitted to EPA pursuant to subpart A of this part. The baseline emission inventory for calendar year 2002 or other suitable year shall be used for attainment planning and RFP plans for areas initially designated nonattainment for the PM_{2.5} NAAQS in 2004–2005.

§ 51.1009 Reasonable further progress (RFP) requirements.

(a) Consistent with section 172(c)(2) of the Act, State implementation plans for areas designated nonattainment for the PM_{2.5} NAAQS must demonstrate reasonable further progress as provided in § 51.1009(b) through (h).

(b) If the State submits to EPA an attainment demonstration and State implementation plan for an area which demonstrates that it will attain the PM NAAQS within five years of the date of designation, the State is not required to submit a separate RFP plan. Compliance with the emission reduc-

tion measures in the attainment demonstration and State implementation plan will meet the requirements for achieving reasonable further progress for the area.

(c) For any area for which the State submits to EPA an approvable attainment demonstration and State implementation plan that demonstrates the area needs an attainment date of more than five years from the date of designation, the State also must submit an RFP plan. The RFP plan must describe the control measures that provide for meeting the reasonable further progress milestones for the area, the timing of implementation of those measures, and the expected reductions in emissions of direct PM_{2.5} and PM_{2.5} attainment plan precursors. The RFP plan is due to EPA within three years of the date of designation.

(1) For any State that submits to EPA an approvable attainment demonstration and State implementation plan justifying an attainment date of more than five and less than nine years from the date of designation, the RFP plan must include 2009 emissions milestones for direct PM_{2.5} and PM_{2.5} attainment plan precursors demonstrating that reasonable further progress will be achieved for the 2009 emissions year.

(2) For any area that submits to EPA an approvable attainment demonstration and State implementation plan justifying an attainment date of nine or ten years from the date of designation, the RFP plan must include 2009 and 2012 emissions milestones for direct PM_{2.5} and PM_{2.5} attainment plan precursors demonstrating that reasonable further progress will be achieved for the 2009 and 2012 emissions years.

(d) The RFP plan must demonstrate that in each applicable milestone year, emissions will be at a level consistent with generally linear progress in reducing emissions between the base year and the attainment year.

(e) For a multi-State nonattainment area, the RFP plans for each State represented in the nonattainment area must demonstrate RFP on the basis of common multi-State inventories. The States within which the area is located must provide a coordinated RFP plan.