§ 52.377 Control strategy: Ozone.

(j) Determination of Attainment for the One-Hour Ozone Standard. Effective July 18, 2012, EPA is determining that the New York-Northern New Jersey-Long Island (NY-NJ-CT) one-hour ozone nonattainment area did not meet its applicable one-hour ozone attainment date of November 15, 2007, based on 2005–2007 complete, quality-assured and certified ozone monitoring data. Separate from and independent of this determination, EPA is determining that the New York-Northern New Jersey-Long Island (NY-NJ-CT) one-hour ozone nonattainment area has attained the one-hour ozone standard, based on 2008–2010 complete, quality-assured and certified ozone monitoring data at all monitoring sites in the area and data showing the area continued to attain through 2011.

(k) Determination of Attainment for the Eight-Hour Ozone Standard. Effective July 18, 2012 EPA is determining, that complete, quality-assured and certified ozone monitoring data for 2007–2009 show the NY-NJ-CT eight-hour ozone nonattainment area attained the 1997 eight-hour ozone standard by its June 15, 2010 attainment deadline. Therefore, EPA has met the requirement pursuant to CAA section 181(b)(2)(A) to determine, based on the area’s air quality data as of the attainment date, whether the area attained the standard. EPA also determined that the NY-NJ-CT nonattainment area will not be reclassified for failure to attain by its applicable attainment date under section 181(b)(2)(A). EPA is also determining that the NY-NJ-CT eight-hour ozone nonattainment area currently continues to attain the eight-hour ozone NAAQS, based on complete, quality-assured and certified data for 2008–2010 and data through 2011. This determination, in accordance with 40 CFR 51.918, suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 1997 annual eight-hour ozone NAAQS.

§ 52.378 Control strategy: PM$_{10}$.

(a) Approval—On June 23, 2005, the Connecticut Department of Environmental Protection submitted a request to redesignate the City of New Haven PM$_{10}$ nonattainment area to attainment for PM$_{10}$. The redesignation request and the initial ten-year maintenance plan (2006-2015) meet the redesignation requirements in sections 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively.

(b) Approval—On June 23, 2005, the Connecticut Department of Environmental Protection (CT DEP) submitted a request to establish a Limited Maintenance Plan (LMP) for the City of New Haven PM$_{10}$ attainment area for the area’s initial ten-year maintenance plan (2006–2015). The State of Connecticut has committed to: maintain a PM$_{10}$ monitoring network in the New Haven PM$_{10}$ maintenance area; implement contingency measures in the event of an exceedance of the PM$_{10}$ National Ambient Air Quality Standards (NAAQS) in the maintenance area; coordinate with EPA in the event the PM$_{10}$ design value in the maintenance area exceeds 98 μg/m$^3$ for the 24-hour PM$_{10}$ NAAQS or 40 μg/m$^3$ for the annual PM$_{10}$ NAAQS; and to verify the validity of the data and, if warranted based on the data review, develop a full maintenance plan for the maintenance area. The LMP satisfies all applicable requirements of section 175A of the Clean Air Act. Approval of the LMP is conditioned on maintaining levels of ambient PM$_{10}$ below a PM$_{10}$ design value criteria of 98 μg/m$^3$ for the 24-hour PM$_{10}$ NAAQS and 40 μg/m$^3$ for the annual PM$_{10}$ NAAQS. For the Criscuolo Park site, Connecticut still qualifies for the LMP option if, based on five years of site data, the average design values (ADVs) of the continuous PM$_{10}$ monitor are less than the site-specific critical design value (CDV). If the LMP criteria are no longer satisfied, Connecticut must develop a full maintenance plan to meet Clean Air Act requirements.

[70 FR 59653, Oct. 13, 2005]

§ 52.379 Control strategy: PM$_{2.5}$.

(a) Approval—Revision to the State Implementation Plan submitted by the