

**Environmental Protection Agency**

**§ 52.430**

(f) Based upon EPA's review of the air quality data for the 3-year period 2003 to 2005, EPA has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area attained the 1-hour ozone NAAQS by the applicable attainment date of November 15, 2005. EPA also has determined that the Philadelphia-Wilmington-Trenton severe 1-hour ozone nonattainment area is not subject to the imposition of the section 185 penalty fees.

(g) EPA approves revisions to the Delaware State Implementation Plan consisting of the 2008 reasonable further progress (RFP) plan, reasonably available control measures, and contingency measures for the Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Department of Natural Resources and Environmental Control on June 13, 2007.

(h) EPA approves the following 2008 RFP motor vehicle emissions budgets (MVEBs) for the Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Department of Natural Resources and Environmental Control on June 13, 2007:

TRANSPORTATION CONFORMITY EMISSIONS BUDGETS FOR THE DELAWARE PORTION OF THE PHILADELPHIA AREA FOR THE 2008 RATE OF PROGRESS PLAN

County	2008 Emissions (tons per day)		Effective date of adequacy determination or SIP approval
	VOC	NO <sub>x</sub>	
Kent .....	4.14	9.68	January 5, 2009, (73 FR 77682), published December 19, 2008.
New Castle .....	10.61	21.35	
Sussex .....	7.09	12.86	
State Total ..	21.84	43.89	

(i) *Determination of attainment.* EPA has determined, as of March 26, 2012, that based on 2008 to 2010 ambient air quality data, Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE 8-hour ozone moderate nonattainment area has attained the 1997 8-hour ozone NAAQS. 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 8-hour ozone NAAQS.

[64 FR 55141, Oct. 12, 1999, as amended at 66 FR 54614, Oct. 29, 2001; 68 FR 67952, Dec. 5, 2003; 73 FR 43361, July 25, 2008; 75 FR 17865, Apr. 8, 2010; 77 FR 17343, Mar. 26, 2012]

**§ 52.427 Control strategy: Particulate matter.**

*Determination of attainment.* EPA has determined, as of May 16, 2012, that based on 2007 to 2009 and 2008 to 2010 ambient air quality data, the Philadelphia-Wilmington, PA-NJ-DE nonattainment area has attained the 1997 annual PM<sub>2.5</sub> NAAQS. This determination, in accordance with 40 CFR 51.1004(c), 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 PM<sub>2.5</sub> NAAQS.

[77 FR 28784, May 16, 2012]

**§§ 52.428-52.429 [Reserved]**

**§ 52.430 Photochemical Assessment Monitoring Stations (PAMS) Program.**

On March 24, 1994 the Delaware Department of Natural Resources & Environmental Control submitted a plan for the establishment and implementation of a Photochemical Assessment Monitoring Stations (PAMS) Program as a state implementation plan (SIP) revision, as required by section 182(c)(1) of the Clean Air Act. EPA approved the Photochemical Assessment Monitoring Stations (PAMS) Program on September 11, 1995 and made it part of the Delaware SIP. As with all components of the SIP, Delaware must implement the program as submitted and approved by EPA.

[60 FR 47084, Sept. 11, 1995]