

## Environmental Protection Agency

## § 52.140

(ii) For projects not exempted under paragraph (e) of this section and not in a plan or a TIP that has been found to conform under procedures in paragraph (d)(1) of this section within the last three years:

(A) *Documentation.* The MPO shall document as part of the approval document for each such project:

(1) the disaggregated population and employment projections, to the extent they are used in

(i) the applicable plan, and

(ii) designing and scoping the project;

(2) the levels of vehicle trips, vehicle miles traveled, and congestion that are

(i) assumed in the applicable plan, and

(ii) expected to result over the period covered by the applicable plan from the construction of the project considering any growth likely to result from the project;

(3) for each transportation control measure in the applicable plan likely to be affected by the project:

(i) its implementation schedule and expected emission reduction effectiveness from the applicable plan,

(ii) its current implementation status and, if feasible, its current effectiveness, and

(iii) any actions as part of the project which may beneficially or adversely affect the implementation and/or effectiveness of the TCM;

(4) CO emission levels which will result from the project over the period covered by the applicable plan considering any growth likely to result from the project; and

(5) ambient CO concentration levels which will result from the project over the period covered by the applicable plan considering any growth likely to result from the project.

(B) *Findings.* Prior to approving any transportation project, the MPO shall determine if the project conforms to the applicable implementation plan. In making this determination, the MPO shall make and support the following findings for each project using the information documented in paragraph (d)(2)(ii)(A) of this section:

(1) that the project will provide for the implementation of TCMs affected by the project on the schedule set forth in the applicable plan;

(2) that CO emission levels, microscale and regional, resulting from the implementation of the project during the period covered by the applicable plan will not delay attainment or any required interim emission reductions and/or interfere with maintenance of the CO NAAQS in an area substantially affected by the project;

(3) that the project will not cause or contribute to a violation of the CO NAAQS during the period covered by the applicable plan near the project; and

(4) that the projected emissions from the project, when considered together with emissions projected for the conforming plan and program within the nonattainment area, do not cause the plan and program to exceed the emission reduction projections and schedules assigned to such plans and programs in the applicable implementation plan.

(e) *Exempt Projects.* An individual project is exempt from the requirements of paragraph (d) of this section if it is:

(1) located completely outside the nonattainment area;

(2) a safety project which is included in the statewide safety improvement program, will not alter the functional traffic capacity or capability of the facility being improved, and does not adversely affect the TCMs in the applicable plan;

(3) a transportation control measure from the approved applicable plan; or

(4) a mass transit project funded under the Urban Mass Transportation Act, 49 U.S.C.

[56 FR 5485, Feb. 11, 1991]

### § 52.139 [Reserved]

### § 52.140 Monitoring transportation trends.

(a) This section is applicable to the State of Arizona.

(b) In order to assure the effectiveness of the inspection and maintenance program and the retrofit devices required under the Arizona implementation plan, the State shall monitor the actual per-vehicle emissions reductions occurring as a result of such measures.

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All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period January 1 to March 31, 1976.

(c) In order to assure the effective implementation of §§ 52.137, 52.138, and 52.139, the State shall monitor vehicle miles traveled and average vehicle speeds for each area in which such sections are in effect and during such time periods as may be appropriate to evaluate the effectiveness of such a program. All data obtained from such monitoring shall be included in the quarterly report submitted to the Administrator by the State of Arizona in accordance with § 58.35 of this chapter. The first quarterly report shall cover the period from July 1 to September 30, 1974. The vehicle miles traveled and vehicle speed data shall be collected on a monthly basis and submitted in a format similar to Table 1.

TABLE 1

Time period _____		
Affected area _____		
Roadway type	VMT or average vehicle speed	
	Vehicle type (1)	Vehicle type (2) <sup>1</sup>
Freeway.		
Arterial.		
Collector.		
Local.		

<sup>1</sup> Continue with other vehicle types as appropriate.

(d) No later than March 1, 1974, the State shall submit to the Administrator a compliance schedule to implement this section. The program description shall include the following:

(1) The agency or agencies responsible for conducting, overseeing, and maintaining the monitoring program.

(2) The administrative procedures to be used.

(3) A description of the methods to be used to collect the emission data, VMT data, and vehicle speed data; a description of the geographical area to which the data apply; identification of the location at which the data will be collected; and the time periods during which the data will be collected.

(e) The quarterly reports specified in paragraphs (b) and (c) of this section

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shall be submitted to the Administrator through the Regional Office, and shall be due within 45 days after the end of each reporting period.

[38 FR 33376, Dec. 3, 1973, as amended at 39 FR 32113, Sept. 5, 1974; 44 FR 27571, May 10, 1979]

**§ 52.141 [Reserved]**

**§ 52.142 Federal Implementation Plan for Tri-Cities landfill, Salt River Pima-Maricopa Indian Community.**

The Federal Implementation Plan regulating emissions from an Energy Project at the Tri-Cities landfill located on the Salt River Pima-Maricopa Indian Community near Phoenix, Arizona is codified at 40 CFR 49.22.

[64 FR 65664, Nov. 23, 1999]

**§ 52.143 [Reserved]**

**§ 52.144 Significant deterioration of air quality.**

(a) The requirements of sections 160 through 165 of the Clean Act are not met, since the plan as it applies to stationary sources under the jurisdiction of the Pima County Health Department and the Maricopa County Department of Health Services and stationary sources locating on Indian lands does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Arizona for that portion applicable to the Pima County Health Department and the Maricopa County Department of Health Services and sources locating on Indian lands.

[48 FR 19879, May 3, 1983, as amended at 68 FR 11321, Mar. 10, 2003; 68 FR 74488, Dec. 24, 2003]

**§ 52.145 Visibility protection.**

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.