

FOR FURTHER INFORMATION CONTACT:

John M. Harmon, Assistant Attorney General, Office of Legal Counsel, Department of Justice, Washington, D.C. 20530, 202-739-2041.

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, parts 0, 16 and 50, of chapter I of Title 28, Code of Federal Regulations are amended as follows:

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

§ 0.1 [Amended]

1. Section 0.1 of subpart A is amended by inserting "Office of Information Law and Policy" immediately after "Office of Professional Responsibility."

§ 0.15(b)(2) [Redesignated as § 0.29(a)]

2. Section 0.15(b)(2) of subpart C is revised in part and redesignated as § 0.29(a) of new subpart E-2 as set out below.

§ 0.18 [Redesignated as § 0.19a]

3. Section 0.18 of subpart C is revised in part and redesignated as § 0.19a of subpart C-1 to read as follows:

§ 0.19a Office of Privacy and Information Appeals.

The Office of Privacy and Information Appeals is established in the Office of the Associate Attorney General under the supervision of the Associate Attorney General to assist in acting on Privacy and Freedom of Information appeals under §§ 16.47 and 16.7, respectively, of this chapter, except that in the case of appeals from initial decisions in which the Associate Attorney General participated this assistance shall be provided by the Office of Legal Counsel. The Office of Privacy and Information Appeals shall provide staff support to the Department Review Committee, established by § 17.38 of this chapter.

§ 0.25(i) [Redesignated as § 0.29(b)]

4. Section 0.25(i) of subpart E is revised in part and redesignated as § 0.29(b) of new subpart E-2 as set out below:

Subpart E-2—Office of Information Law and Policy

Sec.

0.28 Organization.

0.29 Functions.

0.29a Freedom of Information Committee.

AUTHORITY: 28 U.S.C. 509, 510 and 5 U.S.C. 301.

Subpart E-2—Office of Information Law and Policy

§ 0.28 Organization.

The Office of Information Law and Policy shall be headed by a Director, appointed by the Attorney General. The Director shall be subject to the general supervision and direction of the Associate Attorney General.

§ 0.29 Functions.

The Director of the Office of Information Law and Policy shall:

(a) Coordinate the Department's response to requests for production or disclosure of information under the Freedom of Information Act (5 U.S.C. 552), see part 16(A) in this chapter, and under the Privacy Act (5 U.S.C. 552a), see part 16(D) in this chapter, and provide assistance in furnishing information to the public under the acts.

(b) Advise executive agencies and organizational units of the Department on questions relating to interpretation and application of the Freedom of Information Act and advise the Department on questions relating to interpretation and application of the Privacy Act.

(c) Coordinate the development and implementation of and compliance with Freedom of Information Act policy within the executive agencies and all organizational units of the Department and Privacy Act policy within all organizational units of the Department.

(d) Undertake, arrange, or support training and informational programs concerning both acts for the executive agencies and the Department.

(e) Undertake such other responsibilities as may be assigned by the Associate Attorney General.

§ 0.29a Freedom of Information Committee.

(a) The Freedom of Information Committee is established within the Office of Information Law and Policy to encourage compliance with the Freedom of Information Act throughout the executive branch. The Committee consists of Justice Department attorneys who were members of the Committee on the effective date of this provision and Justice Department attorneys designated by the Director, Office of Information Law and Policy: *Provided*, That attorneys in other organizational units of the Department shall be so designated only with the consent of the head of the other organizational unit. The Committee through the Office of Information Law and Policy shall provide assistance and encouragement to Federal agencies in complying with the letter and spirit of the Freedom of Information Act through training of Federal

personnel and consultation with agencies on particular matters arising under the Freedom of Information Act. In consulting with agencies proposing to issue final denials under the Act, the Committee through the Office of Information Law and Policy shall, in addition to advising the agency with respect to legal issues, invite the attention of the agency to the range of public policies reflected in the Act, including the central policy of fullest responsible disclosure. The Office of Information Law and Policy may also undertake studies and make recommendations to carry out the intent of this subsection.

(b) All Federal agencies, which intend to deny requests for records under the Freedom of Information Act should consult with the Freedom of Information Committee through the Director of the Office of Information Law and Policy, to the fullest extent practicable, before litigation ensues. After litigation begins, contacts regarding the matter should be primarily with the Civil Division or other component of the Department of Justice responsible for conducting the defense of the suit.

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Subpart A [Amended]

5. Subpart A of part 16 is amended by substituting "Associate Attorney General" for "Deputy Attorney General" each place where it appears in subpart A.

§ 16.1(b) [Amended]

6. Section 16.1(b) of subpart A, part 16, is amended by substituting "Office of Information Law and Policy" for "Office of Legal Counsel".

Subpart D [Amended]

7. Subpart D of part 16, is amended by substituting "Associate Attorney General" for "Deputy Attorney General" each place where it appears in subpart D.

PART 50—STATEMENTS OF POLICY

§ 50.9 [Redesignated]

8. Section 50.9 of part 50 is revised in part and redesignated as § 0.29a in the new subpart E-2, part 0, as set out above.

Dated: September 27, 1978.

GRIFFIN B. BELL,
Attorney General.

[FR Doc. 78-28105 Filed 10-4-78; 8:45 am]

[4410-01]

[AAG/A Order No. 14-78]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Subpart E—Exemption of Records Systems Under the Privacy Act

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The Department of Justice is amending 28 CFR 16.85 to permit the U.S. Parole Commission to revise its alternate means of access under the Privacy Act of 1974 in order to bring its rules relating to disclosure under the Privacy Act into conformity with the prehearing disclosure provisions of the Parole Commission and Reorganization Act of 1976. The authorization specifically permits the Commission to apply the same substantive exemptions to all disclosure requests by prisoners which will avoid the possibility of inconsistent disclosure decisions relating to the same information.

DATE: This rule will be effective October 5, 1978.

ADDRESS: Legal and Legislative Group, Office of Management and Finance, Department of Justice, 10th and Constitution Avenue NW., Washington, D.C. 20530.

FOR FURTHER INFORMATION CONTACT:

Bronson E. Clayton, 202-739-4165.

SUPPLEMENTARY INFORMATION: No comments were received regarding the proposed regulations. Pursuant to the authority vested in me by 5 U.S.C. 552a and 553, 28 CFR 16.85(c), is revised as set forth below.

Dated: September 22, 1978.

KEVIN D. ROONEY,
Assistant Attorney General
for Administration.

§ 16.85 Exemption of Parole Commission system—limited access.

(c) Consistent with the legislative purpose of the Privacy Act of 1974 the U.S. Parole Commission will initiate a procedure whereby present and former prisoners and parolees may obtain copies of material in files relating to them that are maintained by the U.S. Parole Commission. Disclosure of the contents will be affected by providing copies of documents to requesters through the mails. Disclosure will be made to the same extent as would be made under the substantive exemptions of the Parole Commission

and Reorganization Act of 1976 (18 U.S.C. § 4208) and rule 32 of the Federal Rules of Criminal Procedure. The procedure relating to disclosure of documents may be changed generally in the interest of improving the Commission's system of disclosure or when required by pending or future decisions and directions of the Department of Justice.

[FR Doc. 78-28106 Filed 10-4-78; 8:45 am]

[6560-01]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 972-2]

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This rulemaking responds to comments and makes necessary amendments to the designations of attainment status relative to the national ambient air quality standards (NAAQS) for Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. This rulemaking supplements the national EPA rulemaking of September 11, 1978 (43 FR 40412), and incorporates by reference EPA's position on certain general issues raised in comments on the designations found in the supplementary information section of that rulemaking.

DATE: Effective date—October 5, 1978.

FOR FURTHER INFORMATION CONTACT:

Thomas Mateer, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Ill. 60604, 312-353-2334.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1977 (the 1977 Amendments), Pub. L. 95-95, added section 107(d) to the Clean Air Act (the Act) which directed each State to submit to the Administrator a list of the NAAQS attainment status of all areas within the State. The Administrator was required under section 107(d)(2) to promulgate the State lists, with any necessary modifications. For each standard, areas are classified as either not meeting the standard (nonattainment areas), meeting the standard (attainment areas), or lacking sufficient data to be class-

fied (unclassifiable areas). The U.S. Environmental Protection Agency (EPA or the Agency) published these lists in the FEDERAL REGISTER on March 3, 1978 (43 FR 8962), and invited the public to submit comments to the Agency by May 2, 1978.

Certain issues raised in these comments were similar to those raised by others throughout the nation. These issues are addressed in the national EPA promulgation. Additional issues which are specific to the States in EPA region V are addressed in this action. Several of the comments have caused EPA to modify earlier designations. In some cases, the designation has been changed by redefining the boundaries of the area; in others, the designation itself has been changed but no new nonattainment areas have been designated in counties which were previously attainment or unclassifiable.

For good cause, the amendments to designations made final today are being made effective immediately. As discussed in the national EPA rulemaking, the only effect of these designations is to identify problem areas for which State planning must be completed by a statutory deadline. These designations impose no obligation on any source. There would therefore be no point in deferring the effective date. The issues raised in the comments are discussed below by State.

ILLINOIS

One commenter stated that no opportunity was provided for public participation in the designation process implemented by the Illinois Environmental Protection Agency (IEPA). While the Clean Air Act does not require the States to provide opportunity for public participation in the designation process, IEPA held two public meetings in November 1977 in order to discuss the criteria to be utilized in the designation process. Written comments were accepted by IEPA until the end of that month.

TOTAL SUSPENDED PARTICULATES (TSP)

One commenter questioned the criteria used by the State of Illinois in determining the nonattainment boundaries, monitor siting, and monitoring data used to support the nonattainment designations for Bremen, Orland, and Palos Townships in AQCR 67 (Cook County). The nonattainment designations for these townships are supported by monitored violations. The State of Illinois chose to designate an area surrounding monitored violations which included the surrounding townships. EPA review of the monitoring data and site locations reaffirms that the TSP primary and secondary nonattainment status of Bremen and Orland Townships is sup-

ported by the data. This review also demonstrates the need to redesignate Palos Township from attainment of the primary standard and nonattainment of the secondary standard to nonattainment for both the primary and secondary standards.

One commenter questioned the monitoring data used to support the nonattainment designations for Hyde Park, Hennepin, and Mount Vernon Townships. Upon review of the monitoring data from these townships, EPA reaffirms the nonattainment designations. However, in the case of Hennepin Township, if 1978 monitoring data continues to indicate improved air quality, a redesignation may be justified.

One commenter questioned the siting of a monitoring station and air quality data used to support the nonattainment designation for Capital Township, Sangamon County. The designation of Capital Township was based on air quality data from third quarter 1975 through second quarter 1977. Upon review of monitored data and information regarding site location, EPA reaffirms the nonattainment designation.

One commenter recommended that the geographic areas for the TSP nonattainment designations be made smaller than entire townships within major metropolitan areas such as the city of Chicago. The commenter recommended the utilization of specific street boundaries for smaller areas of nonattainment. The commenter did not provide sufficient support for revising the nonattainment boundaries as suggested. Therefore, EPA reaffirms the nonattainment designations within the city of Chicago.

One commenter noted that seven townships in south Chicago are listed as exceeding the primary TSP standards when there are many monitoring sites located in south Chicago which meet the primary TSP standards. Upon review of the 1977 monitoring data from the monitoring sites mentioned by the commenter, EPA reaffirms the nonattainment designations.

SULFUR DIOXIDE (SO₂)

One commenter indicated that a copy of a preliminary air quality modeling study was not available for review and that comment on the nonattainment designation for the Peoria major metropolitan area was thereby hindered. The commenter also questioned the modeling results used to support this designation, specifically the emissions inventory used in the modeling. The above-mentioned draft report was made available to the commenter by the State EPA in May. Before that time commenter was afforded information available for commenting on the designation status of

Peoria. EPA approved the State's recommended designation after review of the emission inventory used in the modeling which supported the designation. Therefore, the nonattainment designation for the Peoria metropolitan area is supported by the evidence. Upon the finalization of a detailed modeling study for the Peoria area and obtaining additional monitoring results, the State may request a redesignation to attainment status, if justified.

One commenter questioned the unclassifiable designation for Capital Township, Sangamon County, in view of the fact that sulfur dioxide has been monitored for four years without a violation of the NAAQS. The unclassifiable designation for Capital Township is justified in that dispersion modeling shows the potential for violations of the NAAQS in several townships within Sangamon County, while the State of Illinois determined that there was not enough evidence to support a nonattainment designation. Therefore, EPA reaffirms the current unclassifiable designation.

The State of Illinois commented that Leepertown Township, Bureau County, should be designated attainment for primary and secondary SO₂. NAAQS and Shelby Township, Bureau County, should be designated unclassifiable due to error in the location of a monitoring site. EPA supports the State of Illinois designation changes. Therefore, Leepertown Township is designated attainment and Shelby Township is designated unclassifiable.

CARBON MONOXIDE (CO)

One commenter questioned the unclassifiable designation for Capital Township, Sangamon County, in view of the fact that carbon monoxide has been monitored for 4 years without a violation of the NAAQS. The unclassifiable designation for Capital Township is justified since transportation data indicated the potential for violation of the NAAQS within portions of the township, while the State of Illinois determined that there was not enough evidence to support a nonattainment designation. Therefore, EPA reaffirms the current unclassifiable designation.

One commenter questioned the designation of the nonattainment area boundaries within the Chicago major metropolitan area. The commenter recommended specific alternative boundaries, but provided no support for the redesignation. Repeated violations of the NAAQS at several locations within the designated nonattainment area support the current nonattainment designation. Traffic data and dispersion studies support the current nonattainment designations for expressway areas located within the

Chicago major metropolitan area. Therefore, EPA must retain the current nonattainment designations.

NITROGEN DIOXIDE (NO₂)

One commenter questioned the siting of the continuous air monitoring program (CAMP) monitoring station located in downtown Chicago and recommended specific alternative street boundaries for the nonattainment area. Upon review, EPA determined that the CAMP monitoring station is correctly sited. Further, the commenter did not provide sufficient technical data to support a redesignation. There were two monitoring sites located within the Chicago central business district which recorded violations of the NAAQS in 1977. Therefore, EPA confirms the current designation boundaries.

PHOTOCHEMICAL OXIDANTS (OZONE)

One commenter questioned the location of a monitoring site and air quality data used to support a nonattainment designation for Capital Township. Review of the monitoring site location and air quality data confirmed numerous violations of the NAAQS in 1977 despite a conservative site location. Therefore, EPA reaffirms the current designation.

INDIANA

The Agency received a total of 24 comments on designations in the State of Indiana. Also, the State of Indiana on June 12, 1978, petitioned the Agency under section 107(d)(5) of the Clean Air Act to revise the designations for several counties, in some cases revising its previous recommendations. Normally, the Agency's approval or disapproval of such a petition would be proposed as rulemaking and subsequently promulgated; however, since Indiana's petition was submitted in time to be reviewed along with all of the other comments on designations and since there is no prejudice to sources in areas where the designation is revised, the State's recommendations in the petition were reviewed and are discussed below in conjunction with all other comments on the same areas.

TOTAL SUSPENDED PARTICULATES (TSP)

One commenter recommended that Vigo County be designated as an attainment area for suspended particulates. One commenter recommended revision of the geographic size of the TSP nonattainment area in Vigo County to include only the industrialized portions of the county. Similarly the State of Indiana recommended that the primary TSP nonattainment area be restricted to Harrison, Sugar Creek, Fayette, Otter Creek, Lost

Creek, and Honey Creek Townships. Since violations of the TSP NAAQS have been monitored in Vigo County, revision of the designation is not supported. However, the portion of the county recommended for nonattainment designation by the State of Indiana includes all areas of monitored violations as well as all significant point sources of particulate matter. EPA therefore concurs in the Indiana recommendations and has revised the geographic boundary of the TSP nonattainment area in Vigo County accordingly.

Two commenters, as well as the State of Indiana, recommended that the primary TSP nonattainment designation in St. Joseph County be reduced to secondary nonattainment and that the geographic boundary of the nonattainment area be changed to the industrialized portion of the county, including all areas of monitored violations. After reviewing the available technical data, USEPA concurs with these recommendations. The designation for St. Joseph County has been revised to secondary nonattainment for particulate matter for those areas of St. Joseph County east of Pine Road and north of Kern Road.

One commenter stated that fugitive dust may be a significant contributor to secondary particulate nonattainment in and around Kokomo, in Howard County and requested that USEPA reevaluate the area to determine the significance of the contribution of fugitive dust. An examination of the analysis of the high volume filters registering excursions of the secondary standard indicate that nonfugitive dust such as fly ash and carbonaceous material make up a significant portion of the particulate matter. Therefore, a revision of the designation for the secondary standard is not supported.

The State of Indiana recommended revising the boundaries of the secondary TSP nonattainment area in Howard County to Center and Howard Townships only. USEPA concurs and has redefined the boundaries of the nonattainment area accordingly.

Two commenters disputed the designation of Vanderburgh County as a secondary nonattainment area for TSP citing the transport of fugitive dust from outside the county as the primary source of nonattainment. A third commenter supported the nonattainment designation. The State of Indiana recommended revising the geographic boundary of the nonattainment area to Pidgeon Township only. An analysis of high volume filters from monitors in the Evansville area which measured violations of the secondary particulate standard indicated that while fugitive dust was present, a significant portion of the particulate

matter was man made in origin. Therefore, a change in the designation is not supported. Since Pidgeon Township contains the city of Evansville's significant industrial point sources of particulate matter, EPA concurs with the State's recommendation and has redefined the boundaries of the nonattainment area accordingly.

One commenter objected to the designation of Floyd County as unclassifiable for TSP and recommended a classification of attainment. Upon review, EPA finds that there is not enough data to support either an attainment or nonattainment classification. Therefore, the TSP designation for Floyd County will remain unclassifiable.

The State of Indiana recommended that the following full county designations of TSP primary nonattainment be changed to subcounty designations:

Clark County (to Silver Creek, Charlestown, Utica, and Jeffersonville Townships only); *Dearborn County* (to Lawrenceburg, Center, Manchester, and Hogan Townships only); *Lake County* (to the area bounded by a line running east along U.S. 30 between the Illinois State line and I-65, north on I-65 to the intersection of I-94, east along I-94 to Lake-Porter County line, north along the county line to Lake Michigan, and west along the lake shore to the Illinois State line); *Marion County* (to the entire county with the exception of Washington Township east of Fall Creek, and Franklin Township south and east of Five Points Road and Thompson Road); and *Wayne County* (to Webster, Boston, Center, and Wayne Townships only).

The State also recommended that the description of the primary TSP nonattainment designation for Dubois County (an area within a 10-mile radius of the center of Jasper) be changed to Bainbridge, Marion, and Patoka Townships; and that the secondary TSP nonattainment area for La Porte County (as area within a 10-mile radius of the city of La Porte sampling site) be changed to primary nonattainment in Center, Scipco, Kanakakee, New Durham, and Pleasant Townships, and the area north and west of Interstate 94. USEPA concurs in these recommendations and has revised the designations accordingly.

SULFUR DIOXIDE (SO₂)

Ten commenters requested revisions to the size of the sulfur dioxide (SO₂) primary nonattainment area in Lake County. With the exception of the State of Indiana, each commenter recommended that the city where the commenter was located be excluded from the nonattainment area, for the following reasons: Relatively few monitors within the area registered viola-

tions of the SO₂ national ambient air quality standards (NAAQS) and most of the heavy industry in the area was not responsible for the violations which were monitored. Commenters generally believed that sources unfairly placed within the nonattainment area would suffer potentially serious adverse impacts due to restrictions on economic growth and unnecessarily restrictive emission limitations.

The northern portion of Lake County, Ind., is heavily industrialized with a significant number of large SO₂ emission sources and relatively few continuous SO₂ monitors in operation. Despite the scarcity of the monitors, violations of the standard have been monitored. For this reason, the area must remain in nonattainment area for SO₂. Also, the impact of the designation need not be adverse to emission sources not causing or contributing to violations of the standard as explained in more detail in the national EPA rulemaking.

The State of Indiana comment recommended redescription of the southern boundary of the Lake County nonattainment area (currently U.S. 30 between the Illinois State line and the Porter County line) to U.S. 30 east from the Illinois State line to the intersection of U.S. 30 and I-65, north along I-65 to the intersection of I-65 and I-94, and east along I-94 to the Porter County line. The area recommended by the State of Indiana encompasses all significant emission sources and is therefore acceptable. The southern boundary of the Lake County nonattainment area for SO₂ is revised as noted above.

Two commenters recommended that the designation for Porter County be changed from partial nonattainment for SO₂ to attainment for the full county. The State of Indiana recommended that the nonattainment area (the area bounded by Lake Michigan on the north, by the Lake-Porter County line on the west, by I-80-90 on the south, and by the La Porte-Porter County line on the east) be redesignated as unclassifiable. On June 12, 1978, the State of Indiana petitioned EPA under 107(d)(5) of the Clean Air Act, to revise the Porter County designation from attainment in part to attainment for the entire county. In all cases commenters noted that the original designation was based on computer dispersion modeling utilizing the urban version of the RAM model, rather than on monitored violations of the SO₂ air quality standards. All commenters indicated that the rural version of the RAM model would be more appropriate for use in Porter County.

Upon evaluation, EPA concurred in that assessment and the Indiana Division of Air Pollution Control remodeled Porter County utilizing the rural

version of RAM. While the results of the rural RAM model showed no predicted violations of the primary or secondary NAAQS for SO₂, EPA noted certain technical deficiencies in the modeling. The modeling performed by Indiana did not utilize maximum allowable emission rates in determining whether there would be attainment of the 3-hour and 24-hour SO₂ standards, and background concentrations of SO₂ were not adequately considered. For the above reasons, we cannot concur that the State's rural RAM modeling of Porter County demonstrates attainment of the SO₂ NAAQS, however, that portion of Porter County designated as nonattainment in the March 3 promulgation will be redesignated as unclassifiable. The remainder of Porter County will remain attainment.

One commenter recommended that the portion of La Porte County designated as primary and secondary nonattainment for sulfur dioxide be reclassified as attainment. The State of Indiana recommended that Center, Scipio, Kankakee, New Durham, and Pleasant Townships and the area north and west of I-94 be redesignated as unclassifiable. On June 12, 1978, the State of Indiana formally petitioned under 107(d)(5) of the Clean Air Act for a redesignation of La Porte County from nonattainment in part to attainment for the entire county. There have been measured violations of the SO₂ NAAQS in the nonattainment portion of La Porte County and additionally, the rural RAM analysis of northern Porter County conducted by the Indiana DAPC predicted nonattainment. For the above reasons revision of the designation is not supported at the present time.

One commenter recommended reclassifying Wayne County from primary nonattainment of the SO₂ standard to unclassifiable stating that during at least one excursion, the company's electrostatic precipitators were out of service. The State of Indiana recommended changing the boundaries of the nonattainment area from the full county, to Webster, Boston, Center, Franklin, and Wayne Townships only. The State's recommendation was formalized in the June 12, 1978, 107(d)(5) petition. Since electrostatic precipitators are control devices used primarily for particulate control, their breakdown would be expected to have a negligible effect on SO₂. Moreover, of the three monitored excursions of the SO₂ standard, only one occurred during a period of precipitator malfunction. Therefore the evidence supports the nonattainment designation for Wayne County, however, the recommendation of the State of Indiana to revise the geographic boundaries of the primary nonattainment area is accepted since all major sources and their areas of

major impact are included in the area designated.

Four commenters recommended redesignation of Marion County from nonattainment for primary and secondary SO₂ standards to unclassifiable. Commenters challenged the validity of the monitored data which demonstrated violations of the 24-hour primary SO₂ standard and the accuracy and validity of dispersion models which predicted violations of the annual and short-term primary SO₂ standards. Upon evaluation, EPA finds that the monitored data is valid and the dispersion modeling done for Marion County used an accepted model (CDM), which predicted annual violations of the SO₂ standard. These results have been supplemented by urban RAM runs which predicted short-term violations of the SO₂ standard. The overwhelming weight of evidence supports primary SO₂ nonattainment in Marion County and that designation will remain unchanged. Since secondary violations have been neither monitored nor predicted by dispersion modeling, Marion County is being reclassified as attainment for the secondary SO₂ standard.

One commenter recommended redesignation of Vigo County from primary SO₂ nonattainment to attainment. The commenter submitted a dispersion modeling report as evidence of attainment. The State of Indiana submitted the same report with a recommendation that Vigo County be changed from primary nonattainment to unclassifiable. This recommendation was formalized in the State's June 12, 1978, petition. The modeling report disputed the appropriateness of the urban RAM model in Vigo County, recommending in its place a modified version of rural RAM. The Agency reviewed the modeling report and determined that it does not meet the Agency's modeling standards. Computer dispersion studies using acceptable modeling procedures have predicted primary SO₂ standard violations. Therefore, revision of the designation is not supported at this time.

One commenter recommended that the designation of Gibson County be revised from unclassifiable for SO₂ to attainment. The State of Indiana also requested redesignation of Gibson County from unclassifiable to attainment in its June 12, 1978, petition. The commenter submitted a modeling study of Gibson County, indicating attainment of SO₂ standards. However, a previous USEPA modeling analysis of air quality in Gibson County indicated a potential for violations of the SO₂ NAAQS. Due to the number of unanswered questions concerning air quality in Gibson County, the designation for Gibson County should remain unclassifiable.

On June 12, 1978, the State of Indiana also petitioned that Jefferson County be redesignated from unclassifiable for SO₂ to attainment. A dispersion modeling study was submitted in support of the petition. A dispersion modeling study submitted by the State to region V, USEPA, indicated violations of the secondary standard. Region V is currently preparing an analysis of Jefferson County to resolve the discrepancies between these two studies. Until that analysis is completed, the SO₂ designation for Jefferson County will remain unclassifiable for the primary standard, and will be revised to nonattainment for the secondary standard.

PHOTOCHEMICAL OXIDANTS (OZONE)

One commenter stated that the designation of Floyd County as nonattainment for the photochemical oxidant standard was based "solely on its proximity to probable nonattainment areas" and therefore is inappropriate. Since violations of the oxidant standard have been monitored in New Albany (located in Floyd County), this designation is clearly supported by the evidence and will not be revised.

Two commenters stated that designating Vanderburgh County as nonattainment for photochemical oxidants was arbitrary, would serve no practical purpose, was counter to congressional intent, and should not be undertaken until it is determined whether the national ambient air quality standard for oxidants will be revised. Air quality values in excess of the photochemical oxidant standard have been monitored in Vanderburgh County for the past 3 years. Even if USEPA revises the standard as proposed, Vanderburgh County would still experience violations of the standard. The Clean Air Act clearly states that the purpose of the designation process is to identify areas where public health related air pollution standards are being violated. Therefore, the designation of Vanderburgh County will remain as nonattainment for photochemical oxidants.

One commenter recommended that the oxidant nonattainment area designation for St. Joseph County be limited to the urbanized area. The county was classified as nonattainment because the South Bend urbanized area has a population greater than 200,000. Subsequent air quality measurements in South Bend has resulted in the monitoring of numerous violations of the NAAQS for oxidants. Limiting the designation to the urbanized area would not be consistent with the physical nature of oxidant formation and transport. Additionally, a large portion of the South Bend urbanized area is Elkhart County. The omission of Elkhart County from the list of counties not attaining the oxidant standard

in the March 3, 1978, FEDERAL REGISTER (43 FR 8962) was an error which has been corrected in this action. Therefore, St. Joseph and Elkhart Counties are designated as nonattainment for photochemical oxidants.

One commenter stated that designating Porter County as nonattainment for oxidants was a misapplication of USEPA policy. The nonattainment designation of Porter County was based on the fact that portions of Porter County are part of the Chicago-northwest Indiana urbanized area. To declare solely the urbanized area as nonattainment would be inconsistent with the physical nature of ozone formation and transport. Therefore, nonattainment designation of Porter County will remain in effect.

One commenter stated that Marion County should be designated unclassifiable for oxidants until a number of questions concerning control strategies have been answered. The designation of Marion County was based on monitored violations of the air quality standard. Issues relating to the effectiveness of a control strategy are not relevant to the designation which is a description of air quality. Therefore Marion County should remain nonattainment for photochemical oxidants.

CARBON MONOXIDE (CO)

One commenter recommended that the portion of downtown Indianapolis designated as nonattainment for the carbon monoxide standard should be redesignated unclassifiable since the monitor in question is "unduly influenced" by exhaust from buses. This monitor has been sited according to national monitoring guidelines and has been quality assured. The data is therefore accurate and valid. Furthermore, the influence of the buses in generating high ambient levels of carbon monoxide should be considered in development of a control strategy. Therefore, the designation is supported by the data and is not being revised.

MICHIGAN

The Michigan Department of Natural Resources (MDNR) submitted a list to typographical errors found in the March 3, 1978 publication. These corrections are being made today.

TOTAL SUSPENDED PARTICULATES (TSP)

BRANCH COUNTY

Originally, this area had been erroneously designated "nonattainment" for secondary particulate standards instead of "unclassifiable". MDNR submitted monitoring data which indicates that the particulate standards have been attained in the area. EPA has reviewed this new data and has determined that redesignation to "at-

tainment" for particulate standards is appropriate for Branch County.

SULFUR DIOXIDE (SO₂)

INGHAM COUNTY

MDNR suggested that the nonattainment area for SO₂ be the subcounty area defined in the State draft designation document. In view of the State's dispersion modeling and monitoring support, EPA will amend the designation to include only the subcounty area proposed by the State.

MIDLAND COUNTY

A subcounty designation by MDNR is being accepted by EPA for the same reason set forth in the Ingham County comment.

L. W. Pribila, on behalf of Dow Chemical U.S.A., objected to designation of any part of Midland County as nonattainment for sulfur dioxide standards primarily because current air monitoring data indicates all SO₂ standards are being achieved. Such achievement is attributed to utilization of a supplemental or intermittent control system (SCS) by Dow Chemical, the principal source of SO₂ in the Midland County area. The air quality report prepared by Michigan in 1974 showed 15 monitored violations of the sulfur dioxide 24-hour primary (health-related) standard at the Abbott Road site in Midland, Mich., near the Dow Chemical plant. The same site also recorded violations of the 3-hour secondary (welfare-related) standard.

In 1975, no violations were recorded at the Abbott Road site according to the air quality report published by Michigan. However, excursions (non-violation exceedences of standards) of both the 24-hour and 3-hour standards were recorded at the Dow Corning lot site on Saginaw Road and, in 8 months of monitoring, two violations of the 24-hour standard in addition to an excursion of the 3-hour standard were recorded at the Dow Biochem building site on Austin Street.

In 1976, the Michigan air quality report showed an excursion of the 24-hour standard at both the Dow Corning and Abbott Road sites, and an excursion of the 3-hour standard at the Austin Street site. Subsequent air quality data reported to EPA indicate no violations of SO₂ standards occurring in the Midland area.

On May 7, 1974, Dow Chemical and the Michigan Air Pollution Control Commission entered into a consent order (No. 12-73-05) which exempted Dow from meeting SO₂ emission limitations in the applicable Michigan rule provided Dow installed an intermittent control system (ICS), a dispersion technique which limits emissions during times when violations of air

quality standards would otherwise occur because of meteorological conditions. Dow's choice of permanent controls was a reliance on a nuclear powerplant to be constructed by the Consumers Power Co. By July 1, 1975, the ICS at Dow was operational (statement of Mr. L. Pribila at EPA sec. 113 Enforcement Conference, Feb. 4, 1977, p. 13 transcript) and, as indicated above, fairly successful in preventing violations of the standards.

The Clean Air Act requires use of continuous emission reduction technology to attain and maintain national standards.¹ A dispersion technique may not be used to reduce the amount of constant emission controls required to attain and maintain standards, unless the dispersion technique was implemented prior to December 31, 1970.² Accordingly, in view of the air quality violations in 1974 and 1975 and the admission by the principal source of SO₂ in the area (Dow Chemical Co.) that an intermittent control system was being utilized to prevent current violations of air quality standards, EPA concluded that the county of Midland was required to be designated nonattainment for the sulfur dioxide standard.

Neither the comment by Dow nor any of the air quality data analyzed prior to implementation of the Dow ICS indicate that SO₂ standards are being achieved in Midland County solely by constant emission controls. In fact, there is no evidence of any constant SO₂ emission control at the Dow plant. Because no new information has been presented which would provide a basis for changing the nonattainment designation, it is retained for the subcounty area in which Dow is located.

MINNESOTA

TOTAL SUSPENDED PARTICULATES (TSP)

Mesabi Iron Range—Itasca and St. Louis Counties

Several commenters objected to designation of the 100-mile strip constituting the Mesabi Iron Range (portions of Itasca and St. Louis Counties) as a nonattainment area for secondary particulate standards because the monitored air quality data relied on in making the designation represented conditions in a very limited portion of this vast area.

In designating certain townships and ranges nonattainment, Minnesota Pollution Control Agency (MPCA) analyzed data from 8 State monitoring sites and 36 industrial sites. Taking the most conservative position in

¹ Secs. 110(a)(2)(B) and 302(k), 42 U.S.C. 7410(a)(2)(B) and 7602(k).

² Sec. 123(a), 42 U.S.C. 7423(a). See discussion in the national rulemaking package of Sept. 11, 1978, 43 FR 40414.

terms of protecting the welfare of this area, MPCA determined to designate the entire range nonattainment based on available data recognizing that pockets of attainment could exist within the area and that appropriate changes would be made when sufficient data became available. Based on a review of the monitored 24-hour particulate standard violations, EPA concurred in this determination.

Two companies, Erie Mining Co. and Hanna Mining Co. submitted extensive modeling data in support of their requests for redesignation of certain townships in the designated area. Based on an analysis of this data, MPCA has recommended certain changes in the designation of the Mesabi Range. EPA has reviewed these recommendations and concurs as more fully discussed in a background document for section 107 designations in Minnesota which is available in the regional office.

U.S. Steel also objected to designation of the central portion of the Mesabi Iron Range as nonattainment particularly because they claimed the closest monitor could not accurately represent the air quality surrounding U.S. Steel facilities. However, the commenter failed to specify which particular townships should be redesignated and to submit data in support of any proposed redesignations. Accordingly, EPA and MPCA have no basis for altering the designation.

U.S. Steel also complained about the location of the monitors closest to their facility. The sites in Virginia and Mount Iron were inspected by EPA in 1976 and found to be situated such that they would not be affected by fugitive sources which could lead to exaggerated levels.

Typographical errors in the legal descriptions published on March 3, 1978, are being corrected today. In reassessing available data, EPA determined that the violation at industrial site 07 was not caused by fugitive dust. Therefore, the nonattainment boundary has been extended to include T56N, R18W, the location of this monitor.

As part of its analysis of the air quality problem along the Mesabi Range, MPCA has contracted with Midwest Research Institute for a detailed study which may lead to further redesignations.

PHOTOCHEMICAL OXIDANTS (OZONE)

ST. LOUIS, SHERBURNE, CARLTON, LAKE, AND OLMSTEAD COUNTIES

Two comments were received with objections to designation of the above counties as nonattainment areas for photochemical oxidants. Concern with imposition of the offset policy over a wide area was expressed.

The nonattainment designations in these counties were based on monitored violations therein. If the State would submit attainment determinations for subcounty areas along with adequate justification, EPA would evaluate such a submission. Until such time, the nonattainment designations are retained. The ramifications of the nonattainment designation are discussed more fully in the supplementary information section of the EPA national promulgation.

OHIO

The Agency received a total of 20 comments on designations in the State of Ohio, most regarding more than one geographic location and pollutant.

SULFUR DIOXIDE DESIGNATIONS

Some comments requested an attainment designation for SO₂ everywhere in Ohio, despite the fact that the standard is now violated in several areas, because the current EPA-promulgated SIP provides for emission reductions that are projected to result in attainment by the attainment date in the SIP. However, the Act requires a nonattainment designation for all areas that violate a standard, regardless of whether implementation of the existing SIP is projected to result in attainment before the attainment date in the SIP.

As explained more fully in the EPA national promulgation, projected future violations of a standard may provide the basis for a nonattainment designation in currently clean areas. However, the reverse is not true: Projected future attainment may not provide the basis for an attainment designation in currently dirty areas. The reason is that sections 171(2), 172, and 107(d)(1) (A) through (C) establish two alternative criteria for designating an area as nonattainment. Any area that currently violates the standard is to be designated as nonattainment, and any area where in the State's judgment the primary standard for SO₂ or TSP may not be maintained may also be designated as nonattainment. Regardless of whether the standard may be attained in the future, an area that currently violates the standard satisfies the first statutory criterion and must therefore be designated as nonattainment. The attainment designation will continue to apply until the State demonstrates that the air quality standards are no longer violated.

Applying a nonattainment designation regardless of projected future attainment is required by both the legislative history and the purposes of the Act. Both the House and Senate bills considered in 1977 would have applied nonattainment requirements to all areas with violations, regardless of

projected future attainment.³ When the nonattainment provisions of these bills were amalgamated to form the bill eventually enacted, the application of nonattainment designation to all areas that violate the standards was retained.

Furthermore applying a nonattainment designation to dirty areas where future attainment is projected will further the purposes of the Act. Even if emission reductions under the current SIP would be sufficient, if fully implemented, to provide for attainment, a nonattainment designation is essential, to satisfy the requirements in sections 171-173 of the Act insuring that the necessary emission reductions are actually achieved, calling for reasonable further progress prior to attainment, and imposing stringent conditions on new construction. And even aside from these regulatory requirements, a nonattainment designation should apply to identify for the public every area with an existing air quality problem in violation of the standards.

Many comments received questioned the basis for the SO₂ designations in Ohio. The SO₂ designations are supported by available monitoring as well as the modeling analysis performed by EPA in the development of the federally promulgated SO₂ regulations. This modeling analysis has been extensively documented in several support documents and has been upheld as an appropriate tool for setting source specific emission limitations as the result of litigation on the regulations. Section 171 of the Clean Air Act defines nonattainment area as an "area which is shown by monitored data or which is calculated by air quality modeling (or other methods determined by the Administrator to be reliable) to exceed any national ambient air quality standard for such pollutant." Thus air quality modeling is specifically authorized as a basis for determining whether an area is attaining the standards. The Agency has determined that where air quality modeling results are available, such results will be used to determine the designation, taking precedence over air quality monitoring data which is usually not sufficiently comprehensive to cover any given area. Therefore, EPA designated most of the SO₂ nonattainment areas in Ohio based upon its modeling analyses.

Several commenters suggested that the boundaries of the SO₂ nonattainment areas be revised to restrict the nonattainment designation to an area smaller than the entire county. EPA

³Proposed sec. 127(e)(2)(A) of the Act, in report to accompany H.R. 6161, H.R. Rept. No. 95-294, 95th Cong., 1st Sess. 389 (May 12, 1977); proposed secs. 110(a)(3)(A) and 113(g)(1) of the Act, in report to accompany S. 252, S. Rep. No. 95-127, 95th Cong., 1st Sess. 146, 169 (May 10, 1977).

has reviewed the designations and reduced the size of the nonattainment areas where supportable along easily recognizable political and geographical lines.

COMMENTS

One commenter, Cincinnati Gas & Electric Co. (CGE), objected to the SO₂ and TSP nonattainment designations for Clermont and Hamilton Counties. Specifically, CGE commented as follows:

1. Pierce Township, Clermont County, should be designated attainment for the TSP secondary standard.
2. Miami Township, Hamilton County, should be designated attainment for the TSP secondary standard.
3. Clermont and Hamilton Counties should be designated attainment for the SO₂ primary standard.

CLERMONT COUNTY TSP

Based upon monitoring data, EPA must reaffirm its nonattainment designation for Pierce Township, Clermont County, for the TSP secondary standard. Also, based upon the location of the monitor showing violations of the secondary 24-hour TSP standard, EPA must additionally designate Batavia Township as nonattainment for the TSP secondary standard. A monitor site (SAROAD site 007) located at 297 Main Street, Hamilton, Ohio, registered four exceedances of the secondary TSP standard in 1977. This monitor is located near the border of Batavia and Pierce Townships.

HAMILTON COUNTY TSP

Based upon monitoring data, EPA must reaffirm its secondary TSP nonattainment designation of Miami Township, Hamilton County. The monitoring data submitted by CGE clearly shows violations of the secondary TSP standard at sites C and D and Dugan Gap.

CLERMONT AND HAMILTON SO₂

EPA must reaffirm the nonattainment designations for the SO₂ primary standard for Clermont and Hamilton Counties, based on EPA's modeling. However, the boundaries of the nonattainment areas have been revised. Reviewing CGE's own monitoring data for site B, Clermont County, shows one excursion of the short-term standard and violations of the primary SO₂ standard at both sites C and D, Hamilton County, during 1977.

COMMENT

One commenter, U.S. Steel (USS), made several comments regarding the SO₂ designation for Lorain County. Specifically, USS comments:

1. Lorain County should be designated attainment for SO₂, based upon the monitoring and modeling done by Ohio EPA.
2. Subcounty designations should be made for SO₂.
3. The data base in EPA's SO₂ modeling analysis was in error. USS is remodeling Lorain County and so far it indicates attainment.

The SO₂ nonattainment designation for Lorain County is based upon the modeling analysis performed by EPA in the development of the federally promulgated SO₂ regulations in Ohio. EPA must reaffirm the nonattainment designation for SO₂ in Lorain County but has reduced the size of the nonattainment area. The nonattainment area as listed in the Ohio SO₂ attainment status table below now includes Lorain County north of Route 80 and the city of Elyria.

USS cited several significant errors in EPA's data base which USS alleges caused inaccurate modeling results. EPA has agreed to a procedure to resolve the data questions including the remodeling of Lorain County by USS with an updated data base. However, until USS completes this modeling, there is no evidence to support an attainment status. Once USS submits its modeling results to EPA, a further analysis of the area's designation can be undertaken, and the designation changed if supported at that time.

COMMENT

One commenter, Dayton Power and Light (DPL), made the following objections to the nonattainment designations promulgated in the March 3, 1978 FEDERAL REGISTER:

1. DPL believes monitoring data indicates Montgomery County is attainment for SO₂ rather than nonattainment as it is designated. DPL objects to the use of "special models such as the RAM model" in the State of Ohio.
2. Subcounty designations for SO₂ should be made.
3. DPL indicates that the use of a double asterisk in the SO₂ designation list is in error.
4. 34 counties were omitted from the list of TSP designations in Ohio.

The nonattainment SO₂ designations for Montgomery County is supported by the modeling analysis performed by EPA in the development of the federally promulgated SO₂ regulations for Ohio. EPA did not single out the State of Ohio for the use of special models such as the RAM model but used modeling results whenever they were available. Therefore, EPA must reaffirm the nonattainment designation for Montgomery County, but has redefined the designation to a subcounty area. The double asterisk notation indicating that the Montgomery County designation was made by EPA because the State failed to submit its own recommendation is an error. The nota-

tion should have been one asterisk denoting an EPA change of the State recommendation. This is corrected in this publication. The omission of 34 counties from the TSP attainment status list was an error and is corrected in this publication.

COMMENT

One commenter, General Motors (GM), objected to the nonattainment designations for TSP in Defiance, Montgomery, Richland, and Erie Counties. Specifically, GM raised the following objections:

1. Defiance County should not have been designated nonattainment for the primary TSP standard because data indicates the excursions were caused by rural fugitive dust and the data from onsite monitors should not have been considered. GM believes the proper designation is nonattainment of the secondary TSP standard.
2. Kettering and Montgomery County should not have been designated nonattainment for the secondary TSP standard. GM believes the proper designation for the area surrounding its plant, Delco Products Division, is attainment.
3. Richland County should not have been designated nonattainment for primary TSP standard. GM believes subcounty designations should be made and that the proper designation for the area surrounding its plant, the Fisher Body—Mansfield plant, is attainment.
4. Erie County should be designated attainment for the primary TSP standard.

DEFIANCE COUNTY

Based upon monitoring data, EPA must reaffirm its designation of Defiance County as primary TSP nonattainment area. However, based upon further data submitted by Ohio EPA, the nonattainment area for the primary TSP standard has been redefined as Richland Township not within the city of Defiance and the city of Defiance has been redesignated as nonattainment for the secondary TSP standard only. There is no support to show that violations indicated by onsite monitors are due to nonindustrial fugitive dust. Furthermore, onsite monitoring data is utilized by EPA if the data is quality assured, such as in this case.

MONTGOMERY COUNTY

Based upon monitoring data and further information submitted by the Dayton Regional Air Pollution Control Agency, EPA has redefined the boundaries of the nonattainment areas for the TSP primary and secondary standard. The General Motors, Delco Products Division in Kettering is now in an attainment area.

RICHLAND COUNTY

EPA must reaffirm its nonattainment designation of Richland County for the primary TSP standard. GM submitted monitoring data in support of their contention that the area surrounding their Fisher Body-Mansfield plant is attainment. However, the data submitted is not quality assured and therefore cannot be used in making the designation. Moreover, four of five Mansfield monitoring sites within the period of 1975-1977 showed violations of the primary annual TSP standard. The monitoring network in Richland County is not extensive enough to make subcounty designations.

ERIE COUNTY

EPA designated Erie County as nonattainment for the TSP primary standard. This appears to have been a clerical error. EPA has redesignated Erie County as nonattainment for the TSP secondary standard.

COMMENT

One commenter, Ohio Edison Co. (OEC), objected to the nonattainment designations made for Clark, Columbiana, and Trumbull Counties for TSP and for Columbiana, Lorain, Summit, and Trumbull Counties for SO₂.

Specifically, OEC commented as follows:

1. The secondary TSP nonattainment designation for Clark County, Springfield, west of Limestone Street should be attainment.

2. The secondary TSP nonattainment designation for the unincorporated areas of Weathersfield Township, Trumbull County should be attainment.

3. The primary TSP nonattainment designation for East Palestine, Columbiana County should be nonattainment for the secondary TSP standard only.

4. The primary SO₂ nonattainment designations for East Palestine in Columbiana County; Lorain County north of the Norfolk and Western Railroad tracks; Summit County north of Route 18; and the unincorporated areas of Weathersfield Township in Trumbull County should be attainment.

CLARK COUNTY TSP

Based upon monitoring data, EPA must reaffirm the nonattainment designation for the TSP secondary standard in Clark County. However, the nonattainment area has been redefined and the city of Springfield has been added to the nonattainment area. OEC submitted monitoring data to support their contention that the area west of Limestone Street is attainment. However, the data submitted was unsupported. No information was

submitted as to the quality assurance procedures utilized and the data did not cover a full year. Additionally, key sampling days are missing for the Abattoir and Snyder Park sites which would have been likely to predict maximums. Therefore, EPA must reaffirm the nonattainment designation for the secondary TSP standard.

TRUMBULL COUNTY TSP

Based upon monitoring data, EPA must reaffirm the nonattainment designation for Weathersfield Township, Trumbull County for the secondary TSP standard. OEC submitted monitoring data to support their contention that the unincorporated area of Weathersfield Township, Trumbull County is attainment. However, this monitoring data supports the nonattainment designation for the secondary TSP standard. Ohio EPA concurs with this designation.

COLUMBIANA COUNTY TSP

Based upon monitoring data, EPA must reaffirm the nonattainment designation for the primary TSP standard for East Palestine, Columbiana County. The air quality monitor located in East Palestine shows a violation of the annual primary TSP standard in 1976. Therefore, the proper designation for East Palestine, Columbiana County is nonattainment for the primary TSP standard.

COLUMBIANA, LORAIN, SUMMIT, AND TRUMBULL COUNTIES SO₂

Based upon the modeling analysis performed by EPA in the development of the federally promulgated SO₂ regulations in Ohio, EPA must reaffirm the nonattainment designations for the primary SO₂ standard for Columbiana, Lorain, Summit, and Trumbull Counties. However, these nonattainment areas have been redefined on a subcounty basis.

COMMENT

One commenter, Republic Steel, made two separate comments during the public comment period. The first objected to the procedures followed by EPA in the promulgation of the nonattainment designations and the fact that no economic assessment was made. The second objected to the basis for the SO₂ designations, specifically objecting to EPA's overruling of Ohio EPA's recommendations which were based on monitoring data. Republic Steel therefore recommended that Cuyahoga, Stark, and Trumbull Counties be redesignated based upon monitoring data.

As to Republic Steel's comment that EPA failed to perform an environmental or economic assessment of these designations, there is no economic or

environmental impact associated with the promulgation of the list of nonattainment areas. Therefore, there is no need at this time to conduct such an assessment. Environmental and economic impact will only result after the State revises its State implementation plan (SIP) to provide for attainment of the standards by December 31, 1982, and sets new emission limitations on sources. Further, EPA must reaffirm the SO₂ nonattainment designations for Cuyahoga and Stark Counties based upon EPA's modeling analysis. The nonattainment area in Trumbull County was based on monitored violations in the Youngstown-Campbell area. EPA has redefined the nonattainment areas on a subcounty basis.

COMMENT

One commenter, the Columbus and Southern Ohio Electric Co. (CSOE), objected to the designation of Coshocton County as nonattainment for the secondary TSP standard and to the designation of Athens, Coshocton, and Pickaway Counties as nonattainment for the primary SO₂ standard.

CSOE recommends that all these counties be designated as attainment based upon the following:

1. Modeling performed by CSOE indicates that the secondary TSP standard is not violated in Coshocton County and monitoring data confirms this finding.

2. Monitoring data collected by CSOE indicates that the primary SO₂ standard has been attained in Athens, Coshocton, and Pickaway Counties; the secondary SO₂ standard has been attained in Coshocton and Pickaway Counties; and the secondary SO₂ standard is exceeded in Athens County but modeling performed after the recent installation of a new 500-foot stack at the Poston Generating Station indicates that no violation of the secondary standard is expected to occur in the future.

Based upon additional monitoring data submitted by the Ohio EPA on April 12, 1978, EPA will reclassify Coshocton County as attainment for the TSP standard. However, based upon EPA's SO₂ modeling analysis, EPA must reaffirm the nonattainment designation of Athens, Coshocton, and Pickaway Counties for the primary SO₂ standard but has redefined the nonattainment areas as including only York Township in Athens County, Franklin Township in Coshocton County and Harrison Township in Pickaway County. CSOE contended that modeling performed since the new 500-foot stack at the Poston Generating Station in Athens County has been operational indicates no violation of the secondary SO₂ standard in the near future, even though previous monitoring results indicated excee-

dances of the secondary standard. No support was submitted to justify finding that this new stack is consistent with section 123 of the Clean Air Act which prohibits the use of any dispersion enhancement techniques to achieve attainment except in those cases where it can be demonstrated that downwash would occur. Therefore, the previous designation must remain.

COMMENT

Two commenters, the Goodyear Tire & Rubber Co. and the B. F. Goodrich Co., filed comments after the close of the comment period in response to the Agency's request for comments from companies challenging the designations under section 307 of the Clean Air Act.⁴ The Agency made the request in order to clarify the issues and assess the potential for administrative resolution prior to continuing litigation. Both commenters challenge the Agency's use of its RAM modeling to support the primary SO₂ nonattainment designation for Summit County, Ohio. Specifically, the commenters contend as follows: (1) That since the Agency is remodeling Summit County, the old modeling results should not have been used to designate the area; (2) that the RAM modeling is not reliable; (3) that monitoring data alone should be used to support an attainment designation; (4) that the RAM modeling does not reflect actual air quality because it uses the maximum operating assumption; (5) that since commenters are participating in studies which evaluate RAM modeling, the use of RAM modeling should await the outcome of the studies.

In Summit County, the Agency's modeling demonstrated that the area was not attaining the primary SO₂ standards. While the Agency has recently remodeled the area in order to correct data base errors, the errors in the data base were not such that a change in attainment status was expected. A new regulation for Summit County will be proposed as rulemaking shortly supported by the remodeling which still shows that the area is not achieving standards and is therefore properly designated nonattainment. Second, the RAM model has been upheld by the U.S. Court of Appeals for the Sixth Circuit as a reasonable tool to use in setting source specific emission limitations. See *Cleveland Electric Illuminating Co. v. EPA*, 572 F. 2d 1150 (6th Cir. 1978). Since RAM modeling is a reasonable tool for setting emission limitations which direct-

ly impacts sources, it is reasonable to use it in designating nonattainment areas of the State, an action which has no immediate effect on sources, but merely triggers the State's evaluation of the areas for its nonattainment SIP. Third, given the availability of reliable modeling results, the modeling analysis takes precedence over the much less comprehensive monitoring data available. Fourth, as to the maximum operating assumption employed in RAM modeling, the assumption has also been specifically upheld by the sixth circuit as a reasonable input to the RAM modeling used to set emission limitations. It is an easily ascertainable figure which reflects the source's actual operation capability. Since it is reasonable to use the assumption in setting source specific emission limitations, it is also reasonable to employ it in designating nonattainment areas triggering the State's study of those areas.

Finally, because the designation is supported by the RAM modeling and because there is no immediate prejudice to sources stemming from the designation, it is not reasonable to delay designating Summit County as a nonattainment area until the commenters' studies have been completed. The Agency has evaluated the studies to date and will publish its preliminary comments in the technical support document accompanying the Summit County regulation which will be proposed as rulemaking shortly. Upon completion of the studies, further analysis of the designation may be made.

ADDITIONAL COMMENTS ON TOTAL SUSPENDED PARTICULATES (TSP)

One commenter requested the TSP nonattainment designation for Coshocton County be revised to attainment based on air quality data submitted. Based on further information submitted by Ohio EPA, as discussed in EPA's response to the Columbus & Southern Ohio Electric Co. comments above, Coshocton County will be redesignated as attainment.

One commenter stated that the boundary description for the Clark County nonattainment designation for the TSP secondary standard was incorrect. EPA has made these corrections. Additionally, upon further review of air monitoring data, EPA has determined that the nonattainment area for the secondary TSP standard in Clark County must also include the city of Springfield.

Two commenters pointed out that the EPA designation of Darke County as a TSP primary standard nonattainment area was a clerical error and should be secondary standard nonattainment on the same subcounty basis. Upon additional review of the moni-

toring data, EPA has redesignated Darke County as nonattainment for the TSP secondary standard. Minor wording changes for the purpose of clarification and spelling corrections were also made.

One commenter indicated Erie County should be nonattainment for the secondary TSP standards rather than the primary standard. This issue is addressed above in the discussion of the General Motors public comment. Erie County will be redesignated as nonattainment for the secondary TSP standard.

One commenter requested redefinition of the subcounty boundaries for the Greene County nonattainment designation for the secondary TSP standard. Upon further review, EPA has redefined the boundaries of Greene County nonattainment area.

One commenter objected to the Hamilton County nonattainment designation for TSP primary standard for areas other than Carthage, Corryville, City Center, Fairmount, Lockland, and St. Bernard. Upon further review of air quality data, EPA must reaffirm the primary TSP nonattainment designation for Hamilton County as it appeared in the March 3, 1978, FEDERAL REGISTER.

One commenter indicated certain areas in Lucas County were designated incorrectly for TSP based on air quality data. Specifically, the commenter argues:

1. Ottawa Hills should be designated as attainment for the primary and secondary TSP standards.
2. The city of Oregon should be designated as attainment for the secondary TSP standard.

Upon further review of monitoring data, EPA has redesignated Ottawa Hills and the city of Oregon as attainment for the primary and secondary air quality standards.

One commenter objected to the designation of Madison County as nonattainment for the secondary standards for TSP. Based upon further information submitted by the Ohio EPA, EPA will redesignate Madison County as attainment.

One commenter objected to the designation of Medina County as nonattainment for the TSP primary standards. Based upon air quality data submitted, the commenter believed the county should be nonattainment for secondary standard. The air quality data submitted supports the position that Medina County is nonattainment with respect to secondary TSP standard. Therefore, EPA will redesignate Medina County nonattainment for the secondary TSP standard.

One commenter objected to the city of Piqua in Miami County being designated as nonattainment for the primary TSP standard rather than the sec-

⁴Shell Oil Co., intervenor in the *Goodrich* case, filed a comment on September 1, 1978. Because it was filed so late, this comment has not been fully analyzed; however, it basically makes procedural and SO₂ modeling points treated elsewhere in this package.

ondary standard. Upon further review, EPA reaffirms that the city of Piqua is nonattainment for the primary TSP standard.

One commenter requested a redefinition of the TSP primary and secondary nonattainment area boundaries for Montgomery County. Upon further review, EPA has redefined the boundaries of the TSP nonattainment areas.

One commenter submitted clarification of the nonattainment area boundaries for the TSP secondary standard in Preble County. EPA has corrected the designation in this publication.

One commenter objected to the Ross County nonattainment designation for the primary TSP standards. Based upon monitoring data, EPA reaffirms the nonattainment designation for the primary TSP standard.

ADDITIONAL COMMENTS ON SULFUR DIOXIDE (SO₂)

Five commenters objected to the manner in which the SO₂ designations were made in Ohio for Greene, Lucas, Mahoning, Montgomery, Stark, Summit, and Trumbull Counties. The support for the SO₂ designations is discussed above. The seven counties mentioned remain nonattainment based on EPA's modeling analysis and any available monitoring data. As a result of the public comments, EPA has redefined the SO₂ nonattainment areas on a subcounty basis.

COMMENTS ON CARBON MONOXIDE (CO)

One commenter indicated that Lucas County should be designated attainment for CO based on monitoring data. EPA reaffirms that the Lucas County area was properly designated as nonattainment with respect to CO, based on monitored violations occurring between October 1975 and January 1977 in Toledo at the 2927 Monroe Street monitoring site.

WISCONSIN MADISON

John E. Knight of Boardman, Suhr, Curry, and Field, on behalf of Oscar Mayer & Co., Inc. objected to designation of a subcity area of Madison, Wis. as nonattainment for primary sulfur dioxide standards because: (1) The EPA did not follow the Wisconsin Department of Natural Resources' (DNR) determination that the area was unclassifiable; (2) air quality data relied on by EPA in making the designation was incomplete and unreliable; (3) the designation occurred more than 180 days after enactment of the 1977 Clean Air Act Amendments so the area should be unclassified; and (4) notice and opportunity to comment were not available to the public prior

to final rulemaking contrary to EPA requirements.

The Administrator has determined that none of the objections presented provide an adequate basis for altering the subject designation because (1) EPA may change State designations; (2) EPA has determined the air quality data used is adequate for classification of the area as nonattainment; (3) the short delay in promulgation does not preclude nonattainment/attainment designations; (4) the public has been adequately involved subsequent to the rulemaking and no one has suffered any harm by the designation. For more complete discussion of this response see background document for Wisconsin Part 107 designations available in the region V office.

Other issues raised by commenters in response to the Madison designation included a concern that additional control needs, if any, be determined in an expeditious fashion. Any necessary new regulations are required to be submitted by January 1, 1979. Another commenter alleged that the SO₂ monitoring instruments were old and worn out so that they produced invalid data. The instruments used meet the minimum requirements of 40 CFR 51.17a, and the State found that the instruments were working properly at the time the two excursions were monitored.

The EPA has determined that the monitored air quality violations are adequate to provide a basis for overriding the State's designation of unclassifiable and designating the subcity of Madison as nonattainment for SO₂ under 107(d) of the Clean Air Act (42 U.S.C. 7407(d)). Accordingly, the designation made on March 3, 1978, is retained.

GREEN BAY

A general comment related to use of more than one year of air quality data in making the designations. Because of meteorological variations from year to year, EPA guidance to the states recommended analysis of two years' data to determine attainment of standards.

Comments received in response to the nonattainment for particulate designation included suggestions that the monitoring network was unreliable, that construction or a drought condition contributed to high TSP concentrations and that the designated area should be expanded to include a major particulate source. An EPA evaluation of the four Green Bay monitoring sites revealed that the sites were acceptable, conformed to siting guidelines and provided valid air quality data. The causes of nonattainment of standards will be appropriately addressed in the revised control strategy by the State agency, regardless of location or duration.

One commenter objected to the unclassifiable designation of the area for SO₂ standards inasmuch as violations of the SO₂ standards were recorded. Subsequent to the recorded violations, a major source of SO₂ emissions substantially reduced same. The unclassifiable designation simply permits the State to continue its monitoring for an additional period of time to determine whether the emission reductions permitted attainment of the standards.

Objection to the nonattainment designation of the area for oxidants was made because the causes of violations are unknown. The causes will be addressed in the revised control strategy.

The EPA has determined that the original designations based on State recommendations were properly made and, therefore, the nonattainment designations for particulate and oxidants and the unclassifiable designation for SO₂ made on March 3, 1978, are retained.

NEENAH

Objection to designation of a subcity portion for nonattainment of secondary particulate standards is based on contentions that the violations were caused by fugitive dust rather than point sources. Also, the location of the monitor recording the 1977 violations is questioned.

As discussed above, the causes of nonattainment whether they be fugitive or stationary will be addressed in development of the revised control strategy.

EPA has determined that the original designation of a subcity portion of Neenah as nonattainment for secondary particulate standards based on the State recommendation was properly made and that the designation made March 3, 1978, should be retained.

BIRON

Consolidated Papers, Inc., objected to the unclassifiable designation of this area for primary and secondary standards of SO₂. After the violations were recorded in March of 1976, Consolidated Paper raised its stack height from 170' to 233' and increased the stack exit velocity. Because of these changes, Consolidated contends that the area should be designated attainment.

Section 123 of the Clean Air Act precludes EPA from designating an area as attainment unless no violations of the standards occur because proper control techniques have been used on major point sources which otherwise contribute to a violation. It may be that the stack height increase at Consolidated meets good engineering practice and is an acceptable means of meeting the standard. Until this determination is made, however, EPA must

retain the unclassifiable designation made on March 3, 1978.

MANITOWOC

The subcity area should have been designated nonattainment for secondary particulate standards based on the State's recommendation. This is a technical correction to the March 3, 1978, designations.

MILWAUKEE

One commenter objected to designation of the Mitchell Field area as attainment for particulates since there were recorded violations of the secondary standard. EPA is revising the designation to nonattainment for secondary particulate standards for an area defined by the Wisconsin Bureau of Air Management.

The same commenter thought a recorded violation of the primary standard at 5132 West Lincoln should cause a nonattainment designation for primary standards. The State has advised that a major emitting source has ceased operations in the area since the violation was recorded. However, the area remains nonattainment for secondary standards which will insure that an appropriate analysis of the area's problems will be made.

The commenter also complained about the siting of the boundary between primary and secondary particulate nonattainment areas in the Menominee River Valley. Because these designations require further analysis of

the problem areas, the exact boundaries are not significant. Present boundaries together with designation of the Mitchell Field area as nonattainment will insure analysis adequate to detect any trouble spots.

WAUWATOSA

One commenter objected to the attainment designation for particulate standards in this area because a monitor had recorded violations of the secondary standard. Because of the monitor's proximity to a now-completed construction project, the State concluded that the violation was a one-time occurrence and thus, the area should be designated attainment. Continued monitoring in this area should reveal whether this analysis is correct. Accordingly, EPA is retaining the attainment designation until further data has been collected.

MARINETTE

A commenter objected to the unclassifiable designation for particulate standards because of monitored violations of the secondary standard in this area. Because the monitor was improperly sited and because construction activities may have contributed to a temporary violation, the State determined that more air quality data was needed before a designation could be made. EPA concurred in this analysis and retains the unclassifiable designation until further data is available.

NOTE.—The Environmental Protection Agency has determined that this document is not a significant regulation and does not require preparation of a regulatory analysis under Executive Order 12044.

(Secs. 107(d), 171(2), 301(a) of the Clean Air Act, as amended (42 U.S.C. 7407(d), 7501(2), 7601(a)).)

Dated: September 26, 1978.

DOUGLAS M. COSTLE,
Administrator.

Part 81 of chapter I, title 40 of the Code of Federal Regulations is amended by revising specific pollutant categories in specific sections of subpart C as follows:

Subpart C—Section 107 Attainment Status Designations

Section	State	Pollutant Category
81.314	Illinois	TSP
81.314	do.....	SO ₂
81.315	Indiana	TSP
81.315	do.....	SO ₂
81.315	do.....	Ox
81.323	Michigan	TSP
81.323	do.....	SO ₂
81.323	do.....	Ox
81.323	do.....	CO
81.324	Minnesota	TSP
81.336	Ohio	TSP
81.336	do.....	SO ₂
81.336	do.....	Ox
81.336	do.....	CO
81.350	Wisconsin	TSP

Subpart C—Section 107 Attainment Status Designations

§ 81.314 Illinois.

Illinois - TSP

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 65				
Knox County				
Galesburg (City)		X		
All other twps.				X
Peoria County				
Kickapoo Twp.	X	-X		
Limestone	X	X		
Medina	X	X		
Peoria	X	X		
Richwoods	X	X		
All other twps.				X
Tazewell County				
Cincinnati Twp.	X	X		
Fondulac	X	X		
Groveland	X	X		
Pekin	X	X		
Washington	X	X		
All other twps.				X
Fulton County				
Hancock				X
Henderson				X
Huron				X
McDonough				X
Warren				X
Woodford				X
Lee				X
AQCR 66				
Coles County				
McLean County				
Bloomington Twp.		X		
All other twps.				X
Vermillion County				X

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Winfield				
York		X		
All other twps.				X
Kankakee County				
Bourbonnais Twp.		X		
All other twps.				X
Kendall County				
Little Rock Twp.		X		
All other twps.				X
Lake County				
Vauconda		X		
All other twps.				X
Will County				
Crete Twp.		X		
DuPage	X	X		
Frankfort		X		
Joliet	X	X		
Lockport	X	X		
Monee		X		
New Lenox		X		
Plainfield		X		
Troy		X		
All other twps.				X
Grundy County				
Aux Sable Twp.			X	
Morris Twp.			X	
All other twps.				X
Kane County				X
McHenry County				X
AQCR 68				
Jo Daviess County				
East Galena Twp.		X		
Rawlins		X		
West Galena		X		
All other twps.				X

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Champaign County				
Clark				X
Gamberland				X
Dekitt				X
Douglas				X
Edgar				X
Ford				X
Irroquois				X
Livingston				X
Moultrie				X
Pitt				X
Shelby				X
AQCR 67				
Cook County				
Calumet Twp.	X	X		
Hyde Park	X	X		
Jefferson		X		
Lake	X	X		
Lakeview		X		
North Town	X	X		
Rogers Park		X		
South Town	X	X		
West Town	X	X		
Bloom		X		
Bremen	X	X		
Cicero		X		
Elk Grove		X		
Lyons	X	X		
Maine		X		
Niles		X		
Orland	X	X		
Palatine		X		
Palos	X	X		
Proviso		X		
Rich		X		
Stickney	X	X		
Thornton	X	X		
Wheeling		X		
Worth	X	X		
All other twps.				X
DuPage County				
Addison Twp.	X	X		
Wayne		X		

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 69				
Rock Island County				
Blackhawk Twp.	X	X		
Coal Valley	X	X		
Hampton	X	X		
Moline	X	X		
South Moline	X	X		
South Rock Island	X	X		
Rock Island	X	X		
All other twps.				X
Whiteside County				
Colona Twp.		X		
All other twps.				X
Carroll County				X
Henry				X
Mercer				X
AQCR 70				
Monroe County				
T.15.-R.10W		X		
All other				X
Madison County				
Alton Twp.	X	X		
Chouteau	X	X		
Collinsville	X	X		
Godfrey	X	X		
Granite City	X	X		
Nameoki	X	X		
Venice	X	X		
Wood River	X	X		
All other twps.				X
St. Clair County				
Cantren Twp.	X	X		
Caseville	X	X		
Centerville	X	X		
St. Clair	X	X		
Stiles	X	X		
Stookley	X	X		
Sugar Loaf	X	X		

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
All other twps.				X
Bond County				X
Clinton				X
Randolph				X
Washington				X
AQCR 71				
Bureau County				
Shelby Twp.		X		
All other twps.				X
LaSalle County				
Dear Park	X			
LaSalle	X	X		
Ottawa		X		
South Ottawa		X		X
All other twps.				X
Putnam County				
Hennepin Twp.		X		
All other twps.				X
Lee County				X
Marshall County				X
Stark County				X
AQCR 72				
Pope County				
T. 14S-R.5E		X		
All other twps.				X
Massac County				
Metropolis Pct.		X		
Grant		X		
Washington		X		
All other pct.				X
Alexander County				X
Johnson				X
Polaski				X

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Richland				X
Saline				X
Wabash				X
Wayne				X
White				X
AQCR 75				
Adams County				
Ellington Twp.		X		
Melrose		X		
Riverside		X		
All other twps.				X
Macon County				
Decatur Twp.	X			
Hickory Point		X		
Long Creek		X		
South Wheatland		X		
Whitmore		X		
All other twps.				X
Menard County				
Petersburg East Twp.		X		
Petersburg North		X		
Petersburg South		X		
All other twps.				X
Sangamon County				
Capital Twp.	X	X		
All other twps.				X
Brown County				X
Calhoun				X
Cass				X
Christian				X
Greene				X
Jersey				X
Logan				X
Macoupin				X
Montgomery				X
Morgan				X
Pike				X

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Union				X
AQCR 73				
DeKalb County				
DeKalb Twp.		X		
All other twps.				X
Winnebago County				
Cherry Valley Twp.		X		
Owen		X		
Rockford		X		
All other twps.				X
Boone County				X
Ogle				X
Stephenson				X
AQCR 74				
Jefferson County				
Dodds Twp.		X		
Mt. Vernon		X		
Shiloh		X		
All other twps.				X
Williamson County				
East Marion Twp.		X		
West Marion		X		
All other twps.				X
Clay County				X
Crawford				X
Edwards				X
Effingham				X
Fayette				X
Franklin				X
Gallatin				X
Hamilton				X
Hardin				X
Jackson				X
Jasper				X
Lawrence				X
Marion				X
Perry				X

Illinois - TSP (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Schuyler				X
Scott				X

RULES AND REGULATIONS

Illinois - SO₂

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 65				
Peoria County				
Hollis Twp.	X			
Limestone Twp.	X			
Madison Twp.	X			
Peoria Twp.	X			
Kickapoo Twp.	X			
Richwoods Twp.	X			
All other twps.				X
Tazewell County				
Cincinnati Twp.	X			
Elm Grove Twp.	X			
Groveland Twp.	X			
Pekin Twp.	X			
All other twps.				X
Fulton County				
Hancock County				X
Henderson County				X
Knox County				X
McDonough County				X
Massac County				X
Warren County				X
Woodford County				X
Lee County				X
AQCR 66				
Champaign County				X
Clark County				X
Coles County				X
Cumberland County				X
DeWitt County				X
Douglas County				X
Edgar County				X
Ford County				X
Iroquois County				X
Livingston County				X
McLean County				X
Moultrie County				X
Platte County				X
Shelby County				X
Vermillion County				X

Illinois - SO₂ (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
All other Madison Twps.				X
Bond County				X
Clinton County				X
Monroe County				X
Randolph County				X
St. Clair County				X
Washington County				X
AQCR 71				
Bureau County				
Selby Twp.			X	
All other Bureau twps.				X
LaSalle County				X
Lee County				X
Marshall County				X
Putnam County				X
Stark County				X
AQCR 72				
Massac County				
Grant Pct	X	X		
Metropolis Pct	X	X		
Hillman Pct	X	X		
All other Massac City Pct				X
Alexander County				X
Johnson County				X
Pope County				X
Pulaski County				X
Union County				X
AQCR 73				
Boone County				X
DeKalb County				X
Ogle County				X
Stephenson				X
Winnebago County				X

Illinois - SO₂ (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 67				
Cook County				
Bremen Twp.			X	
Calumet Twp.			X	
Thornton Twp.			X	
Worth Twp.			X	
All other Cook County twps.				X
Will County				
Channahon Twp.			X	
DuPage Twp.			X	
Joliet Twp.			X	
Lockport Twp.			X	
Troy Twp.			X	
All other Will County twps.				X
DuPage County				X
Grundy County				X
Kane County				X
Kankakee County				X
Kendall County				X
Lake County				X
McHenry County				X
AQCR 68				
Jo Daviess County				X
AQCR 69				
Carroll County				X
Henry County				X
Mercer County				X
Rock Island County				X
Whiteside County				X
AQCR 70				
Madison County				
Wood River Twp.			X	
Alton Twp.			X	

Illinois - SO₂ (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 74				
Clay County				X
Crawford County				X
Edwards County				X
Effingham County				X
Fayette County				X
Franklin County				X
Gallatin County				X
Hamilton County				X
Hardin County				X
Jackson County				X
Jasper County				X
Jefferson County				X
Lawrence County				X
Marion County				X
Perry County				X
Richland County				X
Saline County				X
Wabash County				X
Wayne County				X
White County				X
Williamson County				X
AQCR 75				
Christian County				
South Fork Twp.			X	
All other twps.				X
Sangamon County				
Capital Twp.			X	
Cooper Twp.			X	
Cotton Hill Twp.			X	
Rochester Twp.			X	
Woodside Twp.			X	
All other twps.				X
Adams County				X
Brown County				X
Calhoun County				X
Cass County				X
Greene County				X
Jersey County				X
Logan County				X
Macon County				X

Illinois - SO₂ (Continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Macon County				X
Massac County				X
Montgomery County				X
Morgan County				X
Pike County				X
Schuyler County				X
Scott County				X

Indiana - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Intersection of I-65 then following I-65 to the intersection of I-94 then following I-94 to the Lake Porter County line & on the east by the Lake-Porter County line.				
The remainder of Lake County				X
LaPorte County				
The area included in Center, Kankakee, New Durham, Pleasant and Scipio Townships & that area north and west of I-94	X			
The remainder of LaPorte County				X
Marion County				
The area of Washington Township east of Fall Creek and the area of Franklin Township south of Thompson Rd. & east of Five Points Rd.				X
The remainder of Marion County	X			
Porter County	X			
St. Joseph County				
The area north of Kern Rd. & east of Pine Rd.		X		
The remainder of St. Joseph County				
Sullivan County			X*	
Tipton County			X*	

*EPA designation replaces State designation

§ 81.315 Indiana.

Indiana - TSP

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Indiana Counties				
Clark County				
The area included in Charlestown, Jeffersonville, Silver Creek & Utica Townships	X			
The remainder of Clark County				X
Dearborn County				
The area included in Center, Hogan, Lawrenceburg & Manchester Townships	X			
The remainder of Dearborn County				X
Dubois County				
The area included in Bainbridge, Marion & Patoka Townships	X			
The remainder of Dubois County				X
Floyd County			X	
Howard County				
The area included within Center & Howard Townships		X		
The remainder of Howard County				X
Lake County				
An area bounded on the north by Lake Michigan, on the west by the Indiana-Illinois State line, on the south by U.S. 30 from the State line to the	X			

Indiana - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Vanderburgh County				
The area included in the City of Evansville & Pigeon Township		X		
The remainder of Vanderburgh County				X
Vigo County				
The area included within Harrison, Honey Creek, Fayette, Lost Creek, Otter Creek & Sugar Creek Townships	X			
The remainder of Vigo County				X
Wayne County				
The area included within Boston, Center, Wayne and Webster Townships	X			
The remainder of Wayne County				X
All portions of all other counties in Indiana				X
*EPA designation replaces State designation				

RULES AND REGULATIONS

Indiana - SO₂

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Dearborn County Gibson County Jefferson County Lake County			x x* x*	
An area bounded on the north by Lake Michigan, on the west by the Indiana-Illinois State line, on the south by U.S. 30 from the State line to the intersection of I-65 then following I-65 to the intersection of I-94 then following I-94 to the Lake-Porter County line, & on the east by the Lake-Porter County line.	x			
The remainder of Lake County				x
LaPorte County				
An area bound on the north by Lake Michigan & the Indiana-Michigan State line, on the west by the LaPorte-Porter County line, & on the south & east by I-94	x	x		
The remainder of LaPorte County				x
Marion County	x			
Porter County				
An area bound on the north by Lake Michigan, on the west by the Lake-Porter County line, on the south by I-80 & 90 & on the east by the LaPorte-Porter County line			x	

*EPA designation replaces State designation

Indiana - O₃

Designated Area	Does Not Meet Primary Standards	Cannot Be Classified or Better Than National Standards
Allen County Clark County Elkhart County Floyd County Lake County Marion County Porter County St. Joseph County Vanderburgh County	x* x* x* x x x x* x*	
All portions of all other Indiana counties		x
x* EPA designations replace State designations		

Indiana - SO₂ (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
The remainder of Porter Co.				x
Vigo County	x			
Warrick County			x*	
Wayne County				
The area included within Boston, Center, Franklin, Wayne & Webster Townships	x			
The remainder of Wayne County				x
All portions of all other Indiana Counties				x
x* EPA designations replace State designations				

§ 81.323 Michigan.

Michigan - SO₂

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 82 (Michigan Portion) Except subareas defined by range and township numbers: 1. Berrien County R18W, T4S, Sections 7, 8, 17-20, 29, 30 R19W, T4S, Sections 12-14 & 23-27				x
AQCR 122 Except subareas defined: 1. Bay County R5E, T14N, Sections 14-16 & 21-23 2. Genesee County a. Starting at intersection of Stewart Av. and W. Saginaw St. then E. along Stewart Av. to Dort Highway to Franklin Av. to Hamilton Av. to Saginaw St. to Stewart Av. b. Starting at intersection of Carpenter Rd. and DuPont St. then E. on Carpenter Rd. to Center Rd. then S. to N-21 then W. to I-475 to Bristol Rd. then W. to I-75 then N. to Corunna Rd (M-56) then E. to Flint city limits then N. to Farnsworth Av. then E. to DuPont St. to Carpenter Rd.		x		
	x*			
		x*		

*EPA designation replaces State designation

Michigan - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
3. Kent County R11W, T7N, Sections 19, 30, 31 R12W, T7N, Sections 22-27 & 34-36		X		
4. Mason County R18W, T18N, Sections 13, 14, 23 & 24		X		
5. Midland County R2E, T14N, Sections 14-16, 21-23, 26-28 & 33-35		X		
6. Muskegon County R16W, T9N, Sections 5 & 6, R16W, T10N, Sections 21, 22 & 27-34		X		
7. Saginaw County a. R4E, T12N, Sections 1, 12-15, 22-27 & 34-36 R5E, T12N, Sections 4-6, 9, 16, 19-21 & 28-33 b. R5E, T12N, Sections 7, 8, 17 & 18		X		
AQCR 123 Except subareas defined: 1. Macomb County a. R14E, T4N, Sections 27, 28, 33, & 34 b. All of County South of 20 Mile Rd.	X			X

Michigan - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
b. Area included within Lake St. Clair-Moross Rd. to 7 Mile Rd. to Van Dyke Rd. to 8 Mile Rd. to Wyoming Rd. to 7 Mile Rd. to Schaefer Rd. to Tenet Rd. to Greenfield Av. to Joy Rd. to Southfield Expressway to Ford Rd. to Telegraph Rd. to Cherry Hill Rd. to Beech-Daly Rd. extended to Michigan Av. to Inkster Rd. to Carlisle St. to Middle Belt Rd. to Van Horn Rd. to Wayne Rd. to Pennsylvania Rd. to Middle Belt Rd. to Sibley Rd. to Telegraph Rd. to King Rd. to Grange Rd. to Sibley Rd. to Jefferson Av. to Bridge St. (Grosse Ile) extended to Detroit River.	X			
AQCR 124 (Michigan Portion) Except subarea defined by following townships: 1. Monroe County Exeter, Ash, Berlin, Raisinville, Monroe & Frenchtown Townships including all incorporated municipalities.		X		X
AQCR 125 Except subareas defined: 1. Calhoun County R6W, T2S, Section 34 2. Ingham County R2W, T4N, Sections 2-11 & 14-23	X		X	X

Michigan - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
2. Oakland County a. R10E, T3N, Sections 15, 16, 21, 22, 27 & 28 b. Area included within: Coolidge Rd. to 10 Mile Rd. Campbell Rd. to 14 Mile Rd. Dequindre Rd. & 8 Mile Rd.		X		
3. St. Clair County R17E, T6N, Sections 2-4, 9-11, 14-16, 21, 22 & 28		X		
4. Wayne County a. Area included within: Lake St. Clair to 8 Mile Rd. to Schaefer Rd. to McNichols Rd. to Greenfield Av. to Schoolcraft Av. to Evergreen Rd. to Joy Rd. to Telegraph Rd. to Ford Rd., to Beech-Daly Rd. to Cherry Hill Rd. to Inkster Rd. to Carlisle St. to Middle Belt Rd. to Van Horn Rd. to Wayne Rd. to Ecorse Rd. to Haggerty Hwy. to Tyler Rd. to Belleville Rd. to I-94 to Hudsonville Rd. to Oakville - Walts Rd. to Mill - Carlton Rd. to the Huron River to Lake Erie except for the subarea under b.		X		

Michigan - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
3. Washtenaw County Area near Ypsilanti within Cross St., Huron St., Harris Rd. & I-94		X		
AQCR 126 Except subareas defined: 1. Delta County, R22W, T39N, Sections 6-8, 17-20, 29-30, R23W, T39N, Sections 1, 12 & 13. 2. Emmet County R6W, T34N, Sections 1-3 & 9-12 3. Manistee County R16W, T11N, Sections 7, 18 & 19 R17W, T21N, Sections 12 & 13 4. Marquette County R25W, T48N, Sections 1 & 2		X		X

RULES AND REGULATIONS

Michigan - 502

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified or Better Than National Standards	Better Than National Standards
AQCR 82 (Michigan portion)				X
AQCR 122 Except subareas defined: 1. Midland County, E2E, T13N, Sections 1-6, E2E, T14N, Sections 7-36	X			X
AQCR 123				X
AQCR 124 (Michigan portion)				X
AQCR 125 Except subareas defined: 1. Ingham County, E2W, T4N, Sections 7-11, 14-23, and 26-35	X			X
AQCR 126				X

*EPA designation replaces State designation

Michigan - C6

Designated Area	Does Not Meet Primary Standards	Cannot Be Classified or Better Than National Standards
AQCR 82 (Michigan Portion)		X
AQCR 122 Except subareas defined: 1. Saginaw County R4E, T12N, Sections 1, 12, 13, & 24 R5E, T12N, Sections 4-9, 16-21	X	X
AQCR 123 Except subareas defined: 1. Macomb, Oakland, Wayne Counties, Lake St. Clair-14 Mile Rd. to Kelly Rd. N. to 15 Mile Rd. to Hayes Rd. S. to 14 Mile Rd. to Clawson northern city boundary to Royal Oak northern city boundary to 13 Mile Rd. to Evergreen Rd. to Beverly Hills southern city boundary to Bingham Farms southern city boundary to Franklin southern city boundary to Inkster Rd. to 8 Mile Rd. to Livonia western city boundary to Westland western city boundary to Wayne western city boundary to Romulus southern city boundary following Pennsylvania Rd. to Detroit River.	X	X
AQCR 124 (Michigan Portion)		X
AQCR 125		X
AQCR 126		X

Michigan - 0_x

Designated Area	Does Not Meet Primary Standards	Cannot Be Classified or Better Than National Standards
AQCR 82 (Michigan portion)	X	
AQCR 122 Except subareas defined: 1. Muskegon, Ottawa, Allegan, Kent, Montcalm, Ionia, Gratiot, Midland, Bay, Saginaw, Shiawassee, Genesee, Tuscola, Lapeer, Sanilac and Huron Counties	X	X*
AQCR 123	X	
AQCR 124 (Michigan portion)	X	
AQCR 125	X	
AQCR 126 Except subareas defined: 1. Marquette County	X*	X*

*EPA designations replace State designations

Minnesota - T5P

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified or Better Than National Standards
AQCR 131	x*		
City of International Falls	x		
City of Duluth	x*		
City of Red Wing		X	
City of E. Grand Forks		X	
City of Cloquet		X	
City of Silver Bay		X	
Mesabi Iron Range Identified by county and township and range numbers: <u>St. Louis County</u> T56N, R18W T57N, R17-19W T17N, R20 Section 7 T58N, R16-18W T59N, R13W, R16-18W T60N, R12-13W		x*	
Sherburne County			X
St. Clouds Township (Stearns County)			X
City of Springfield and Burnstown Township (Brown County)			X
Remainder of State			X

*EPA designation replaces State designation

§ 81.336 Ohio.

Ohio - TSP

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Ohio Counties				
Allen		X		
Ashtabula	X			
City of Ashtabula, Ashtabula Township & portion of Plymouth Township north of 1-90				
The remainder of Ashtabula County				X
Belmont				
Cities of Martine, Ferry, Bridgeport, Brookside, Bellaire, Shadyide & Powhatan Point in addition to Townships of Pease, Pultney, Mead & York	X			
Townships of Colerain, Richland, Smith & Washington excluding primary nonattainment areas		X		
The remainder of Belmont County				X
Butler				
City of Middletown	X			
Cities of Monro, Trenton, New Miami, Fairfield, and that portion of the City of Hamilton within Fairfield Township & also the Townships of Madison, Lemon, St. Clair, Liberty, Fairfield & Union		X		
The remainder of Butler County				X

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Clermont				
Pierce and Batavia Townships		X*		
The remainder of Clermont County				X
Clinton				
Columbiana	X			
The Cities of East Palestine, East Liverpool & Wellsville, plus the Townships of Fairfield, Unity, Elk Run, Middleton, Madison, St. Clair, Liverpool & Yellow Creek	X			
Knox & West Townships				X
The remainder of Columbiana County		X		
Coshocton				
Cuyahoga				
The Cities of Brooklyn Hts., Cuyahoga Hts., Newburgh Hts., Bratenahl & the City of Cleveland east of W. 117th St. & Highland Ave.	X			
Olusted & Chagrin Falls Townships & the City of Bay Village, Westlake, North Olsted, Olsted Falls, Strongsville, North Hoyalton, Broadview Hts.,				X

*EPA designation replaces State designation

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Carroll				
Champaigne				
Clark		X		
The area south and east of the line determined by: Route 41 east from the Clark-Miami County line east to Route 235, north to the Clark-Champaigne County line; and bounded by the north-south line determined by: State Route 72 south to Interstate 70, Interstate 70 west to Old Mill Road, south to Fairfield Pike, northeast to Cross Road, east to Route 68, south to Jackson Road, east to Mosier Road, south to Clark-Greene County line.		X		
The remainder of Clark County				X

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Brecksville, Glenwillow, Solon, Bentleyville, Grange, Moreland Hills, Chagrin Falls, Pepper Pike, Hunting Valley, Lyndhurst, Mayfield Hts., Highland Hts., Mayfield & Gates Mills				
The remainder of Cuyahoga County		X		
Deke				
The subareas defined as north of the line formed by Road T358 east from the Indiana-Ohio line to Richmond Road, south to Moore Road, east to Payne Road, south to Rush Road, east to and thru New Madison (emerging as Wilt Road east of New Madison), east from New Madison on Wilt Road to Preble County Butler Township Road, north to Hollandsburg-Arcanum Road, east to Jaysville-St. John's Road, north to Delisle-Fourman's Road, east to Gorch Landis Road, north to Painter Creek-Arcanum Road,		X		

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
east to Teagues- South Road, south to Delisle-Fourman's Road, east to Darke-Miami County line (where road becomes Fenner Road)				
The remainder of Darke County				x
Defiance				
Richland Township not within the City of Defiance	x			
City of Defiance		x		
The remainder of Defiance County				x
Erie				
Franklin				
Includes an area encompassed by Alum Creek on the east, Livingston Ave., Lockbourne Road, Thurman Ave., and Greenlawn Ave. on the south; on the west by I-71 & S.R. 315; & on the north by Lane Ave., North High St., Weber Road, Westerville Pike & Agler Road.	x			
The area within I-270 outer belt excluding primary non-attainment areas		x		
The remainder of Franklin County				x
Gallia				
Cosuga		x		
Greene		x		
Includes those areas west of the line determined by the following:		x		

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Blue Ash				
Area south & east of U.S. 50 & north & east of S.R. 125, & an area to the north including the Cities of Forest Park, Greenhills, Mt. Healthy, North College Hill, Wyoming, Woodlawn, Glendale, Springdale, Sharonville & Loveland & the Townships of Colerain, Springfield, Sycamore & Symmes				x
The remainder of Hamilton County		x		
Hancock				
Henry	x	x		
Jackson		x		
Jefferson				
Cities of Stratton, Empire, Toronto, Winterville, Steubenville, Mingo Junction, New Alexandria, Brilliant, Rayland, Tiltonville, Yorkville & Townships of Saline Knox, Island Creek, Cross Creek, Steubenville, Wells & Warren	x			
Springfield Township				x
The remainder of Jefferson County		x		
Lake				
Area bounded by the west County lines north of I-90 & west of S.R. 306 in addition to Cities of Painesville, Grand River, Fairport Harbor & Painesville Township	x			

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Meredith Rd. south from the Greene-Clark County line, converts to S.R. 370 south to Bryan Park Rd., southeast to Clifton Rd., southwest to Rte. 68, south to Rte. 235, northwest to Hill Top Rd., southwest to Fairground Rd., west to Beaver Valley Rd., south to Lantz Rd., west to Fairfield Rd., south to Sweigart Rd., southwest to Little Sugarcreek Rd., south on Little Sugarcreek Rd. to Feed Wire Rd., east on Feed Wire Rd. to Mead Rd., south on Mead Rd. to Hill Rd., follow Hill Rd. south, then east to Lower Bellbrook Rd., Lower Bellbrook Rd. northeast to Schnebly Rd., Schnebly Rd. southeast, then south to S.R. 725, follow S.R. 725 east to the residential area of Spring Valley and take road which becomes Spring Valley-Paintersville Rd. through residential area to Cornstalk Rd., Cornstalk Rd. south to Greene-Warren County line.				
The remainder of Greene County				x
Hamilton				
The subarea bounded on the east by I-71, on the south by the Ohio River, on the west by the Cincinnati City Limits & on the north by the north & west boundaries of the Cities of Cincinnati, Leckland, Lincoln Hts., Evendale &	x			

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
The remainder of Lake County				x
Lawrence				
The Cities of Ironton, Coal Grove & South Point & the Townships of Upper & Perry	x			
Fayette Township		x		
The remainder of Lawrence County				x
Logan				
Lorain				
The portion of the City of Lorain north of S.R. 611	x			
The City of Lorain east of S.R. 30, & Sheffield Township, excluding primary non-attainment areas		x		
Remainder of Lorain County				x
Lucas				
The Cities of Toledo & Maumee	x			
Townships of Waterville, Monclova & Washington		x		
The remainder of Lucas County				x
Madison				
Mahoning				
The Cities of Campbell, Struthers & Youngstown & that portion of Poland Township north of U.S.R. 224 & that portion of Coltsville Township south of U.S.R. 422	x			

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Townships of Coitsville (excluding portion south of U.S.R. 422), Boardman & Poland (excluding portion north of U.S.R. 224) & that portion of Austintown Township east of S.R. 46		x		
The remainder of Mahoning County				x
Medina		x		
Meigs	x			
Miami				
The City of Piqua	x			
That area in Miami County north of the line determined by Fenner Road from the Darke-Miami County line east to Pemberton Road, south to Horse Shoe Bend Road, east to Rte 55, Rte 55 northeast thru Troy to Troy Urbana Road, Troy-Urbana Road northeast to Miami-Champaign County line & south of the line determined by Rte 40 north from the Montgomery-Miami County line to Rte 202, north to Rte 571, east to Rte 204, north to Rte 41, east to the Miami-Clark County line & excluding the City of Piqua		x		
The remainder of Miami County				x
Monroe				
The City of Clarington & the Townships of Salem & Switzerland	x			

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Bigger Road, north to Wilmington Pike, northwest to Woodman Dr., north to Vale Dr., east to County Line Rd., north to Patterson Rd., west to Spaulding Rd., north to Woodbine Ave., west to Smithville Rd., south to Dorothy Ln., west to South Dixie Dr., southwest to I-75, south to the Montgomery-Warren County Line.				
The remainder of Montgomery County				x
Muskingum		x		
Noble			x	
Portage		x		
Preble				
That area within Preble County southeast of the line described by: The Montgomery-Preble County Line Rd. at Spitler Rd., south to Kinsey Rd., west to S.R. 503, south to the Preble-Butler County Line.		x		
The remainder of Preble County				x
Richland	x			
Ross	x			
Sandusky	x			
Scioto				
The Cities of Portsmouth, New Boston & South Webster & Bloom Township	x			
Township of Harrison excluding primary nonattainment areas	x	x		

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Townships of Adams, Greene, Lee, Ohio & Sunbury		x		
The remainder of Monroe County				x
Montgomery				
The Cities of Miamisburg & Dayton excluding that portion of the City of Dayton bounded by Patterson Rd., Spaulding Rd., Woodbine Av., and Smithville Rd.	x			
That area in Montgomery Co. south & east of the following: Rte. 440 (U.S. 40) at the Montgomery-Miami County Line south to Bridgewater Rd., south to Taylorsville Rd., west to Little York Rd., west to Peters Rd., south to Frederick Rd., northwest to Dog Leg Rd., southwest to Westbrook Rd., west to Olive Rd., south to Shiloh Springs Rd., west to Union Rd., south to Little Richmond Rd., west to Snyder Rd., south to Old Dayton Rd. west to Lutheran Church Rd., south to Mile Rd., west to Guntle Rd., south to Havermales Rd., west to Clayton Rd., south to Chicken Birkle Rd., west to Montgomery-Preble County Line. However, there is an attainment area within this nonattainment area which is described by the following boundaries: north on S.R. 48 from the Montgomery-Warren County Line to Whipp Road, east to		x		

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
The remainder of Scioto County				x
Seneca		x		
Shelby		x		
Stark				
Portion of the City of Canton to the south of 12th Ave.	x			
The political boundaries of City of Canton & Canton Township excluding primary nonattainment areas		x		
The remainder of Stark County				x
Summit				
Area encompassed on the north by S.R. 261 on the east by S.R. 91, on the south by U.S.R. 224 & on the west by S.R. 93	x			
Area bounded on the north by S.R. 18 from the Medina County line to the Fairlawn city limits, & the city limits of Fairlawn, Akron, Cuyahoga Falls & Stow; on the east by the Summit-Portage, Summit-Stark County lines; on the south by S.R. 619, S.R. 93 & the Summit-Stark County line; & on the west by the Summit-Wayne, Summit-Medina County lines, excluding primary nonattainment areas.		x		
The remainder of Summit County				x

RULES AND REGULATIONS

Ohio - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Trumbull				
The area encompassed on the north by S.R. 82, on the east by S.R. 11, S.R. 304 & S.R. 616, on the south by the County line & on the west by the Mahoning River	x			
The Townships of Warren, Rowland, Weathersfield, Liberty & Hubbard; & of Vienna Township the area south of the north boundary of Vienna Township to S.R. 193 & the area of Brookfield Township south of S.R. 82 excluding primary nonattainment areas		x		
The remainder of Trumbull County				x
Tuscarawas		x		
Washington		x		
Wayne		x		
Wood		x		
Wyandot		x		

Ohio - Sulfur Dioxide (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Olmeted and Riveredge.				
The remainder of Cuyahoga County				x*
Erie				
Perkins Township	x*			
The remainder of Erie County				x*
Franklin				
The entire area within the boundary of Rte 270, Madison & Hamilton Townships.	x*			
The remainder of Franklin County				x*
Gallia				
Addison Township		x*		
The remainder of Gallia County				x*
Greene				
Bath Township	x*			
The remainder of Greene County				x*
Hamilton				
Whitewater Township	x*			
The remainder of Hamilton County				x*
Jefferson				
Cities of Steubenville & Mingo Junction, Townships of Steubenville, Island Creek, Cross Creek, Knox	x*			

*EPA designation replaces State designation

Ohio - Sulfur Dioxide

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Allen				
Townships of Bath & American, City of Lima	x*			
The remainder of Allen County				x*
Athens				
York Township	x*			
The remainder of Athens County				x*
Clermont				
Pierce Township	x*			
The remainder of Clermont County				x*
Columbiana				
Cities of East Palestine & East Liverpool & Unity Township	x*			
The remainder of Columbiana County				x*
Coshocton				
Franklin Township	x*			
The remainder of Coshocton County				x*
Cuyahoga				
The Cities of Bay Village, Westlake, North Olmsted, Olmsted Falls, Rock River, Fairview Park, Berea, Middleburg Hts., Strongsville, North Royalton, Broadview Hts., Brecksville and the Townships of	x*			

*EPA designation replaces State designation

Ohio - Sulfur Dioxide (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
and Wells				
The remainder of Jefferson County				x*
Lake				
Entire area northwest of the following line: Rte 90 (north) east to western boundary of Madison Township, north on western boundary of Madison Township line to end of county.	x*			
The remainder of Lake County				x*
Lorain				
The entire area north of Rte 80 & the City of Elyria	x*			
The remainder of Lorain County				x*
Lucas				
The area east of Rte 23 & west of eastern boundary of Oregon Township	x*			
The remainder of Lucas County				x*
Mahoning				
The entire area southeast of the following line: Rte 66 south to Rte 76. Rte 76 southeast to county boundary; the City and Township of Canfield; and the entire area within the following boundary: Rte 268 (Lake Park Rd.) east to Rte 17 (Bandy Rd.) Rte 17 south to county	x*			

*EPA designation replaces State designation

Ohio - Sulfur Dioxide (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
boundary.				
The remainder of Mahoning County				X*
Marion				
City of Marion & Marion Township	X*			
The remainder of Marion County				X*
Medina				
City & Township of Wadsworth	X*			
The remainder of Medina County				X*
Montgomery				
The entire area southeast of the following line: Rte 4 northeast to Union Rd. Union Rd. north to Rte 70. Rte 70 east to county boundary	X*			
The remainder of Montgomery County				X*
Morgan				
Center Township		X*		
The remainder of Morgan County				X*
Muskingum				
Harrison Township	X*			
The remainder of Muskingum County				X*

*EPA designation replaces State designation

Ohio - Sulfur Dioxide (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Trumbull				
The area from the Mahoning-Trumbull County Line, Rm 46 north to the City of Miles southern limits. Eastward along the city limits (Wiles) to Hibbetts Corner (NE) to Rm 11. Rm 11 south to Rm 104. Rm 104 east to Rm 193. Rm 193 south to Mahoning-Trumbull county line.	X*			
The remainder of Trumbull County				X*
Washington				
Belpre Township	X*			
Waterford Township		X*		
The remainder of Washington County				X*
Wood				
The area north of the following line: Rm 80 south-east to Rm 795. Rm 795 east to County Line.	X*			
Remainder of Wood County				X*
All other counties in the State of Ohio				X*

*EPA designation replaces State designation

Ohio - Sulfur Dioxide (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Pickaway Harrison Township & The remainder of Pickaway County	X*			X*
Seneca The City of Fostoria (east side; north of Norfolk and Western R.R.) The remainder of Seneca County	X*			X*
Stark Cities of Alliance, Hart- ville, Louisville, North Canton, Canton & Fairhope, Townships of Lexington, Lake, Winkskillen, Plain, Canton, and Perry. The remainder of Stark County	X*			X*
Summit Entire area northwest of the following line: Rte 88 east to Rte 91. Rte 91 north to county line and the entire area between the following lines: 1) Bath Rd. (.48) east to Rte 8, Rte 8 north to Marlow Rd. (T-121), Marlow Rd. east to county boundary. 2) Vanderhoof Rd. (215) east to Rte 92. Rte 92 north to Rte 619. Rte 619 east to county boundary. The remainder of Summit County	X*			X*

*EPA designation replaces State designation

Ohio - Photochemical Oxidants

Designated Area	Primary Standard Exceeded # (d)(1)(2)(3)	Unclassifiable and/or Attainment # (d)(1)(3)
Adams		X
Allen	X	
Ashland	X	
Ashcabula	X	
Ashens		X
Augsbliss		X
Balmont	X	
Brown	X	
Butler	X	
Carroll	X	
Champaign	X	
Clark	X	
Clermont	X	
Clinton	X	
Columbiana	X	
Coebockton		X
Crawford		X
Cuyahoga	X	
Curtis	X	
Defiance		X
Delaware	X	
Erie	X	
Fairfield	X	
Wayette	X	
Franklin	X	
Fulton	X	
Gallia		X
Geauga	X	
Grenne	X	
Guernsey		X
Hamilton	X	
Hancock	X	
Hardin		X
Harrison	X	
Henry	X	
HIGHLAND	X	
Hocking	X	
Holmes	X	
Huron	X	
Jackson		X
Jefferson	X	
Knox	X	

Ohio - Photochemical Oxidants (continued)

Designated Area	Primary Standard Exceeded §(d)(1)(A)	Unclassifiable and/or Attainment §(d)(2)(E)
Lake	X	
Lawrence	X	
Licking	X	
Logan	X	
Lorain	X	
Lucas	X	
Madison	X	
Mahoning	X	
Marion	X	
Medina	X	
Meigs		X
Mercer		X
Miami	X	
Monroe		X
Montgomery	X	
Morgan		X
Morrow	X	
Muskingum		X
Noble		X
Olus	X	
Paulding		X
Perry	X	
Pickaway	X	
Pike		X
Portage	X	
Preble	X	
Putnam		X
Richland	X	
Ross	X	
Sandusky	X	
Scioto		X
Seneca	X	
Shelby	X	
Stark	X	
Summit	X	
Trembly	X	
Tuscarawas	X	
Union	X	
Van Wert		X
Vinton		X
Warren	X	
Washington		X
Wayne	X	
Williams	X	
Wood	X	
Wyandot		X

Ohio - Nitrogen Dioxide

Designated Area	Primary Standard Exceeded §(d)(1)(A)	Unclassifiable and/or Attainment §(d)(2)(E)
State of Ohio		X

Ohio - Carbon Monoxide

Designated Area	Primary Standard Exceeded §(d)(1)(A)	Unclassifiable and/or Attainment §(d)(2)(E)
Cuyahoga	X	
Franklin	X	
Hamilton	X	
Jefferson	X	
Lucas	X	
Mahoning	X	
Montgomery	X	
Summit	X	
All portions of all other counties in State of Ohio		X

§ 81.350 Wisconsin.

Wisconsin - TSP

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
AQCR 68 Grant County				X
AQCR 73 Rock County				
Beloit	X			
Sub-city area defined as follows: North: Woodward Ave. from 3rd St. and Portland east to Park Avenue. West: Corner of 3rd St., Portland and Woodward South on 3rd St. to Second St. Southwest on Second St. to Grand Avenue. Then southeast on Grand to State St. and South on State to the Illinois-Wisconsin Border. South: Illinois-Wisconsin Border East: Park Avenue from Illinois-Wisconsin Border.				
Sub-city area defined as follows: North: From Washburn and Wisconsin Ave. west to the intersection of Chicago Northwestern Railroad tracks and Lennigan Creek. West: From Chicago Northwestern intersection RR tracks and Lennigan Creek South on RR tracks to the Illinois-Wisconsin border. South: Illinois-Wisconsin Border East: Dearborn Ave. from the Ill-WI border north to Grand Ave. continuing northwest on Grand Ave. to Wisconsin Ave. and north on Wisconsin to Washburn Street.		X		
Remainder of Rock County				X
AQCR 128 Barren County				X
Buffalo County				X

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Chippewa County				X
Clark County				X
Crawford County				X
Dunn County				X
Eau Claire County				X
Jackson County				X
LaCrosse County				X
LaCrosse				
Sub-city area defined as follows: North: Corner of LaCrosse St. and Second Ave., East on LaCrosse St. to 10th Street. West: Corner of Second St. and Main St. to LaCrosse St. South: Corner of 10th St. and Main St., West to Second Street. East: Corner of 10th St. South to Main Street		X		
Remainder of LaCrosse County				X
Monroe County				X
Peplin County				X
Pierce County				X
Folk County				X
St. Croix County				X
Trempealeau County				X
Vernon County				X
AQCR 129				
Ashland County				X
Bayfield County				X
Burnett County				X
Douglas County				X
Superior				
Sub-city areas defined as follows:		X		
AREA 1				
West: Superior Bay and St. Louis Bay shoreline from intersection with Belknap St. to intersection with E St. East. South: East from intersection of Belknap St. and Minnesota-Wisconsin border to Oaks Ave. south on Oaks Ave. from Belknap				

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
South: Corner west Mason St. and Ashland Ave., east along west Mason St. to Irvin Ave.				
East: Corner west Mason St. and Irvin Ave. north along Irvin Ave. to Green Bay.				
Remainder of Brown County				X
Calumet County				X
Door County				X
Fond du Lac County				X
Green Lake County				X
Kewaunee County				X
Manitowoc				
Manitowoc				
Sub-city area defined as follows:		X		
North: East from Manitowoc River to Lake St. to Lake Michigan.				
West: 14th St. south from Wollmer St. to Hamilton St. South: Hamilton St. east from 14th St. to Lake Michigan				
East: Lake Michigan				
Remainder of Manitowoc Co.				X
Marquette County				
Marquette—corporate limits of Marquette			X	
Remainder of Marquette Co.				X
Marquette County				X
Menominee				X
Oconto				X
Outagamie				X
Shawano				X
Sheboygan				X
Waupaca				X
Waushara				X
Winnebago				
Neenah				
Sub-city area defined as follows: North: Corner Caroline St. and Harrison St. east to Franklin St.		X		

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Street and 19th Street east on 19th Street from Oaks Ave. to Hill Ave. North on Hill Ave. to E St. East. Northeast on E St. East to MN-WI border in Superior Bay				
AREA 2				
North: Corner East Eighth St. and 37th St., North along 37th St. to Superior Bay.				
West: Corner east Eighth Street and 37th St., east along East Eighth St. to intersection with last set of railroad tracks. South: Intersection of last set of railroad tracks, north to Allouez Bay.				
East: Allouez Bay and Superior Bay North from point where South boundary intersects to intersection of 37th Ave. and shoreline.				
Remainder of Douglas County				X
Iron County				X
Price County				X
Rusk County				X
Sawyer County				X
Taylor County				X
Washburn County				X
AQCR 217				
Brown County				
Green Bay				
Sub-city area defined as follows:		X		
North: Green Bay				
West: Corner west Mason St. and Ashland Ave. north to Mather St., west to Crocker Street, north on Crocker St. to Blythe St., then to Green Bay.				

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
continue southeast on Franklin St. to Oak St.				
West: Corner Dixie and Cecil Streets north to Harrison St., continue north on Harrison Street to Caroline Street				
South: Corner Dixie Street and Cecil Street East on Cecil St. to Higgins Ave.				
East: Corner Franklin St. and Oak St. south on Oak St. to Laudan Boulevard, west on Laudan Blvd. to Higgins Ave., south on Higgins Ave. to Cecil St.				
Oshkosh				
Sub-city area defined as follows: North: Corner Irving Ave. and Wisconsin Ave. east to Bowen Street		X		
West: Corner Ohio St. and west 11th Ave. north to Route 26/44, continue northeast along Route 26/44 to intersection with Irving Avenue.				
South: Corner Ohio St. and west 11th Ave., east along west 11th Ave. to Lake Winnebago.				
East: Corner Irving Ave. and Bowen St., South along Bowen to Lake Winnebago.				
Remainder of Winnebago Co.				X
AQCR 218				
Adams County				X
Florence County				X
Forest County				X
Juneau County				X
Langlade County				X
Lincoln County				X
Marathon County				
Brokaw—corporate limits of Brokaw		X		

RULES AND REGULATIONS

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Remainder of Marathon Co.				X
Oneida County				X
Portage County				X
Vilas County				X
Wood County				
Marshfield				
Sub-city area defined as follows: North: Chicago and North-western railroad track. East: Western border of section 18 north to Chicago and Northwestern railroad tracks. South: Southern border of section 17 and 18. East: Eastern border of section 17 north to Chicago and Northwestern railroad tracks.		X		
Remainder of Wood County				X
AQCR 239				
Kenosha County				
Kenosha				
Sub-city area defined as follows: North: 32nd Street east from 39th Avenue to Lake Michigan. East: 39th Avenue south from 32nd Street to 67th Street. South: 67th from 39th Avenue to Lake Michigan. East: Lake Michigan.		X		
Remainder of Kenosha Co.				X
Milwaukee County				
Milwaukee				
Sub-city area defined as follows: North: St. Paul Avenue from corner 16th Street to Lake Michigan. West: 16th Street south from St. Paul Avenue to Pierce Street, east on	X			

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Intersection with Forest St. west to intersection with west boundary. West: North from corner of Grange Avenue and Washington Avenue north to Frezer Avenue north to intersection with north boundary. South: Washington Avenue west from Grange Avenue to Marquette Street. East: Marquette Street north from Washington Avenue to Douglas Ave.				
Remainder of Racine County				X

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Pierce Street to 6th St., south on 6th Street to Becher Street South: Becher Street east from 6th to Lake Michigan. East: Lake Michigan				
Sub-city areas defined as follows: Area 1: North: Center Street east from 55th Street to Lake Michigan. West: 55th Street south from North Avenue extended to 56th Street. South: Oklahoma Avenue east from 56th St. to 6th St., south on 6th St. to Morgan Ave., east on Morgan Ave. to Lake Michigan. East: Lake Michigan		X		
Area 2: North: From Pennsylvania Ave. to 13th St. on Howard Ave. West: From Howard to College Ave. on 13th St. South: From 13th St. to Pennsylvania Ave. on College Ave. East: From College Ave. to Howard Ave. on Pennsylvania Ave.				
Remainder of Milwaukee Co.				X
Ozaukee County				X
Racine County				
Racine				
Sub-city area defined as follows: North: Douglas Avenue north from Marquette St. to Rapids Drive, north-west on Rapids Drive to		X		

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
Walworth County				
Lake Geneva				
Remainder of Walworth Co.			X	X
Washington County				X
Waukesha County				
Waukesha				
Sub-city area defined as follows: North: East on Eales Ave. from Whitestock Ave. to Niagara St. West: Whitestock Avenue north from Main Street to Eales Avenue. South: Southwest along Main Street from intersection of railroad track and Main Street to Whitestock Avenue. East: Southeast from the intersection of Eales Ave. to the intersection of the railroad tracks and Main Street.	X			
Sub-city area defined as follows: North: West along Margaret St. from corner of Margaret St. and Highland Ave. to North St. West: North St. north from Union St. to intersection with north boundary. South: West on Arcadian Avenue from intersection of railroad track and Arcadian Ave. to East Ave north on East Ave. to Buckley St., across Yux River to Union St. then to North St. East: South on Highland Avenue to Moreland Blvd.		X		

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
west on Moreland Blvd. to Waukesha Ave., south on Waukesha Ave. to intersection of railroad tracks and Main St., south along railroad tracks to Arcadian Avenue. Remainder of Waukesha Co. AQR 240 Columbia County Pacific Township Sub-township area defined as follows: Pacific Township (from Township Map T.12 N.-E. 9E) North: Northern border of section 22 from USW 16 east to section 23. West: C.M. St. P&P Railroad south from northern border of section 22 to southern border of section 22. South: Southern border of section 22 east from C.M. St. P&P Railroad to section 23. East: Eastern border of section 22. Sub-township area defined as follows: Sections 22, 23, 26 and 27 of T.12 N.-E. 9 E. Remainder of Columbia Co. Dane County Madison Sub-city area defined as follows: North: Corner of Schlinggen Ave. and Packers Ave. west to Lakewood Blvd. Northwest: Corner of Lakewood Blvd. and Del Mar Drive south to Lake Mendota, continue along	X			X
		X		
		X		X

Wisconsin - TSP (continued)

Designated Area	Does Not Meet Primary Standards	Does Not Meet Secondary Standards	Cannot Be Classified	Better Than National Standards
eastern shoreline of Lake Mendota to Charter Street West: Charter St. north from Vilas St. to Lake Mendota South Southeast: Vilas St. east from Charter St. to west Washington Ave., continue southeast to Lake Monona, continue along west shoreline of Lake Monona north-east to Starkweather Creek. North Northeast: Western branch of Starkweather Creek northeast to Fair Oaks Ave., then north along Bryan St. to Milwaukee St., continue west to Oak St., then north to Aberg Ave., continue northwest to Packers Ave., then north to Schlinggen Ave. Remainder of Dane County Dodge County Green County Iowa County Jefferson County Lafayette County Richland County Seuk County				X X X X X X X X

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