request and maintenance plan discussed in this rule were submitted on January 5, 1993 (with revisions on November 15, 1993), November 15, 1994 and November 12, 1994, respectively, by the Michigan Department of Natural Resources (MDNR) for the Detroit-Ann Arbor moderate ozone nonattainment area. The Detroit-Ann Arbor area consists of Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne counties. On July 21, 1994, (59 FR 37190) the USEPA published a proposal to approve the 1990 base year emission inventory, basic I/M, and redesignation request and associated section 175A maintenance plan as revisions to the Michigan ozone SIP. On September 8, 1994 (59 FR 46479 and 46380), the USEPA published a correction notice and 15-day extension of the comment period as a result of the inadvertent omission of a number of lines from the July 21, 1994 proposal. Adverse comments were received regarding the proposed rule. The final rule contained in this Federal Register addresses the comments which were received during the public comment periods and announces USEPA's final action regarding the 1990 base year emission inventory, basic I/M, and redesignation and section 175A

maintenance plan for the Detroit-Ann Arbor area. A more detailed discussion in response to each comment is contained in the USEPA's Technical Support Document (TSD), dated February 3, 1995 from Jacqueline Nwia to the Docket, entitled "Response to Comments on the July 21, 1994 Proposal to Approve the 1990 Base Year Emission Inventory, Basic I/M, and Redesignation to Attainment for Ozone and Section 175A Maintenance Plan for the Detroit-Ann Arbor Area," which is available from the Region 5 office listed above.

II. Public Comments and USEPA Responses and Final Rulemaking Actions

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A. 1990 Base Year Emission Inventory

I. Public Comments and USEPA Responses

The following discussion summarizes and responds to the comments received regarding the 1990 base year emission inventory.

Comment

Two commentors note an error in the 1990 base year emission inventory portion of the proposed action. One of these commentors notes that the total tons of volatile organic compounds (VOC) per summer weekday emitted from non-road mobile sources is listed as 531.03 for this source category. The correct number submitted by MDNR is 111.67.

USEPA Response

The USEPA acknowledges this error. The VOC emissions per summer weekday from the non-road mobile source category in the July 21, 1994 proposal (p. 37192) will be changed to reflect the number submitted by MDNR, 111.67. In addition, the total tons of VOC per summer weekday in the same table will be changed to 971.92. The Daily VOC Emissions table is changed and appears as follows:

DAILY VOC EMISSIONS FROM ALL SOURCES—TONS/SUMMER WEEKDAY

Ozone nonattainment area	Point source emissions	Area source emissions	On-road mobile source emissions	Non-road mobile source emmissions	Biogenic emissions	Total emis- sions
Detroit/Ann Arbor	167.08	252.27	327.00	111.67	113.90	971.92

II. Final Rulemaking Action

The USEPA approves the ozone emission inventory SIP submitted to the USEPA for the Detroit-Ann Arbor area as meeting the section 182(a)(1) requirements of the Clean Air Act (Act) for emission inventories.

B. Inspection and Maintenance

I. Public Comments and USEPA Responses

The following discussion summarizes and responds to the comments received regarding Inspection and Maintenance.

Comment

One commentor suggests that the USEPA's redesignation decision should be explicitly conditioned upon the requirement for the Michigan Department of Transportation to implement enhanced I/M 240 as a contingency measure. At a bare minimum, the maintenance plan should include the BAR 90 emissions test with

visual anti-tampering check for all cars newer than 1975 with no Medicaid waiver.

USEPA Response

The Act requires that nonattainment areas classified as moderate adopt and submit as a SIP revision provisions for implementation of a basic I/M program. See sections 182(a)(2)(B)(i) and (b)(4). Since the Detroit-Ann Arbor area was classified as moderate nonattainment for ozone, the Act requires an I/M program that meets the basic I/M performance standard. The Detroit-Ann Arbor area has implemented an I/M program since 1986, as required by the pre-1990 Act. The area, therefore, must provide for upgrades to the current I/M program to the level of a basic I/M program. Under recent revisions to the national I/M rule (January 5, 1995, 60 FR 1735), however, areas that have requested redesignation to attainment, and are otherwise eligible to obtain approval of the request, may

defer adoption and implementation of otherwise applicable requirements established in the originally promulgated I/M rule ¹. The State was required to submit and has submitted, as a contingency measure within the section 175A maintenance plan a commitment, legislative authority and an enforceable schedule for adoption and implementation of a basic I/M program. The contingency plan is described in detail in a subsequent USEPA response within this Federal Register.

Comment

One commentor requests that the USEPA delay approval of the redesignation request until Michigan's Joint Committee on Administrative Rules completes its review of the I/M legislation and the USEPA confirms that the essential elements listed at 59 FR

 $^{^{\}rm l}$ I/M rule was promulgated on November 5, 1992, 57 FR 52950.