based on computer modeling, is approved by the USEPA. In this case, no previously implemented control strategies are being relaxed as part of this redesignation.

The health effects of acidic air pollution are not relevant to this ozone redesignation. However, the USEPA is aware of the study referenced by the commentor and is considering this study in the process of reevaluating the ozone NAAQS.

Further, apart from title I requirements related to the cessation of the Detroit-Ann Arbor area's status as an ozone nonattainment area, the area is and will continue to be required to satisfy all Act requirements. Other control programs required by the Act will be implemented in the area, regardless of the ozone designation, such as title IV  $NO_X$  controls, section 112 toxic controls and on-board vapor recovery requirements.

#### Comment

One commentor notes that recent information indicates that significantly high ozone readings have been recorded in the Town of Kincardine this summer. Kincardine is halfway up the eastern shoreline of Lake Huron, and therefore, the air quality in Kincardine is, for the most part, a result of emissions from Michigan. The commentor requests that the USEPA reconsider the redesignation of the area because it will have drastic effects on the communities on the eastern shore.

# USEPA Response

Kincardine is more than 100 miles northeast of the Detroit-Ann Arbor area, the subject of the redesignation to attainment for ozone. Consequently, attributing elevated ozone levels in Kincardine to the Detroit-Ann Arbor area would be a complex task. It cannot be conclusively stated that emissions emanating from the Detroit-Ann Arbor area are, "for the most part," responsible for elevated ozone concentrations recorded at a monitor more than 100 miles away. As demonstrated by the wind trajectories provided by Canada as part of the October 17, 1994 submittal, it can be seen that air parcels travel through several U.S. and Canadian urbanized areas. Again, it is noted that the U.S. and Canada are cooperatively developing a regional ozone study to investigate the transboundary ozone phenomena.

maintenance of the ozone NAAQS and would entail submittal of an attainment modeling demonstration with the USEPA's current Guideline on Air Quality Models. Also, see memorandum from Gerald A. Emison, April 6, 1987, entitled Ozone Redesignation Policy.

#### Comment

One commentor states that the transboundary ozone issue points to the need to manage air quality in a regional context and notes that in their meeting of July 25, 1994 in Washington, Carol Browner, Administrator of the United States Environmental Protection Agency, and Sheila Copps, Deputy Prime Minister, Minister of the Environment, Canada, agreed to cooperate in regional management of the transboundary ozone problem. The commentor suggests that the Great Lakes region provides an ideal opportunity to advance this concept.

# USEPA Response

Subsequent to the Browner/Copps meeting, the U.S. and Canadian Governments have met to discuss and develop a regional pilot program to address any potential regional transboundary ozone issue. This new regional pilot effort is being developed as a priority under the U.S.-Canada Air Quality Agreement.

#### Comment

One commentor states that the Southeast Michigan Council of Governments has discussed the redesignation at past meetings of the Windsor Air Quality Committee, at which local committee members pointed out their concerns to no avail. All information available suggests that the request for redesignation is without scientific merit at present, and is premature at best.

### USEPA Response

Ambient air monitoring data in the Detroit-Ann Arbor area demonstrates that the area is attaining the ozone NAAQS. In addition, the State has met all applicable requirements under section 107 of the Act. As previously discussed, the U.S. and Canada are cooperatively developing a regional ozone study to investigate the transboundary ozone phenomena.

### Comment

One commentor notes that the March 1991 formal agreement (the March 13, 1991 U.S.-Canada Air Quality Agreement) between the U.S. and Canada called for other parties to take steps to avoid or mitigate the potential risk posed by specific actions. On this basis, it is requested that the USEPA reconsider the consequences of approving this request for southeast Michigan. Another commentor refers to the March 13, 1991 Air Quality Agreement between Canada and the U.S. with respect to the effort of the two countries to address transboundary air

pollution through "cooperative and coordinated action." Alleging that ground level ozone production in the Detroit-Ann Arbor area by its movement across the U.S.-Canada border has a significant impact on ozone production and general air quality in the Windsor Southwestern Ontario region of Canada, the commentor expresses concern that the Department of State chose not to provide the Canadian Government with formal advance notice of the intention of the USEPA to act on an issue which would have a major impact on transboundary air pollution.

### USEPA Response

Paragraph 1 of Article V of the March 13, 1991 U.S.-Canada Air Quality Agreement states that "Each Party shall, as appropriate and as required by its laws, regulations and policies, assess those proposed actions, activities and projects within the area under its jurisdiction that, if carried out, would be likely to cause significant transboundary air pollution, including consideration of appropriate mitigation measures." Paragraph 2, specifies that parties shall notify each other of actions under paragraph 1. Since the action to redesignate the Detroit-Ann Arbor area to attainment does not result in a relaxation of existing control requirements or an increase in ozone precursor emissions, the USEPA does not believe that formal notification was necessary nor that this action poses a potential risk. Canada is well aware of this redesignation at this time. However, in the future, the U.S. intends to notify Canada of actions similar to this action as early as possible regardless of whether notification is required under the U.S.-Canada Air Quality Agreement. In addition, the U.S. will work with Canada to address tropospheric ozone in the context of the Air Quality Agreement as previously discussed.

## Comment

A number of commentors believe that the air quality in the Detroit-Ann Arbor area has not improved but deteriorated in recent years. Recent developments have been detrimental to air quality, such as the operation of a trash incinerator which emits foul smoke into the air around the clock, particularly on weekends when businesses are closed. Instead of recycling, the City of Detroit chooses to pollute southeast Michigan and Ontario's air. Multitudes of industrial plants are located on the Detroit River whose smokestacks cast gray haze over everything, even on sunny days. One commentor lists a number of local facilities which it claims causes visible emissions and