offensive odors. Another commentor states that Wayne county ranked #1 in amount of hazardous chemicals released through air emissions (as well as #1 in "suspected" carcinogens), and was fearful for her health and future because of current air quality. Another commentor claimed breathing problems caused by outdoor air. Wayne County was accused of posing numerous pulmonary health risks for residents. Improvements in air quality are necessary for the residents' safety and health.

USEPA Response

The July 21, 1994 Federal Register notice proposes to redesignate the Detroit-Ann Arbor area to attainment solely for ozone. The Detroit-Ann Arbor redesignation request satisfies the section 107(d)(3)(E) requirements. Among these requirements is that the area demonstrate attainment of the ozone NAAQS. See section 107(d)(3)(E)(i). The Detroit-Ann Arbor area has demonstrated through 3 consecutive years of complete air quality data, that the area has attained the ozone NAAQS. The area is and will continue to be required to satisfy all Act requirements pertaining to the emission of hazardous air pollutants. Further, existing facilities must continue to operate existing air pollution control equipment in accordance with applicable rules, regulations and permits, and sources that are problematic in terms of posing a nuisance to area residents may be referred to the State and local environmental enforcement staff for investigation. Retaining the area's current nonattainment designation for ozone would not affect visible emissions and/or offensive odors from the existing incinerator. In addition, certain new rules and regulations will still apply to area sources even if the area is redesignated to attainment for ozone; for example, Maximum Achievable Control Technology and additional controls under section 112 (air toxics) of the Act. With respect to the commentor's contention that improvements in air quality are necessary for residents' safety and health, it should be recognized that section 109 of the Act requires that the NAAQS, which must be based on established criteria and allow an adequate margin of safety, protect the public health. Unless and until it is revised, the current ozone NAAQS provides the pertinent standard for protecting public health.

Comment

Many commentors believe that designating the area to attainment

would exempt the area from stricter clean air regulations. They believe that the USEPA should require local industry to implement common-sense, cost-effective pollution control measures, more stringent automobile emission testing (current testing is not effective), and service stations to install anti-pollution devices on gasoline pumps (Stage II). The USEPA should encourage that measures be taken to ensure that no pollution problems occur in the future.

USEPA Response

Redesignating the area to attainment for ozone does not exempt the State from implementing measures necessary for attainment. Further, additional regulations such as a basic I/M program, Stage II vapor recovery, or Stage I expansion are incorporated into the area's maintenance plan as contingency measures. The contingency measures selected by the State will be implemented if a violation is experienced.

Comment

One commentor requests the USEPA to require, and to make public, an independent, third party, statistical verification of air quality and related environmental health data to support or dispute claims made by local businesses, a senator and a governor. If monitoring in the southwest section of Detroit is ongoing, then there would be no question that tougher standards are needed.

USEPA Response

The State has established air monitoring networks, sampling and analysis procedures as well as quality assurance and control procedures that satisfy USEPA guidelines. The State will continue to operate its monitoring network after redesignation. Third party statistical verification of air quality data is not required by the guidelines applicable for the purposes of this redesignation.

Comment

One commentor stated that the USEPA should not redesignate the Detroit-Ann Arbor area because it is likely that the area will soon have to be redesignated back to nonattainment. The commentor also provided various information related to increasing VOC emissions and petroleum usage.

USEPA Response

The USEPA believes that Michigan has shown that the Detroit-Ann Arbor area has attained and can continue to maintain the NAAQS for ozone. In the event that a violation of the ozone NAAQS does occur in the future, however, the maintenance plan provides for the implementation of the State's contingency measures under section 175A to promptly correct any violations of the NAAQS, as required by the Act.

With regard to the commentor's contentions concerning VOC emissions and petroleum usage, the USEPA notes that in its showing of maintenance over a 10-year period, the State has technically assessed not only the impacts of reductions due to control programs, but also increases due to growth in all potential sources of emissions. These potential sources include petroleum usage in the mobile source and industrial source sectors. The State has shown in these assessments that reductions in emissions over the maintenance period will more than offset any increases in emissions of VOC. The USEPA's decisions must be based solely on whether Michigan's submission adequately addresses the statutory requirements applicable to redesignation. The USEPA has determined that it does, and is thus approving the redesignation request. Again, in the event that violations of the ozone NAAQS occur, Michigan must promptly implement its contingency measures such that the ozone NAAQS is once again attained and maintained.

II. Final Rulemaking Action

The USEPA approves the redesignation of the Detroit-Ann Arbor, Michigan ozone area to attainment and the section 175A maintenance plan as a revision to the Michigan SIP. The State of Michigan has satisfied all of the necessary requirements of the Act. The USEPA has also approved the section 182(f) NO_X exemption for the Detroit-Ann Arbor area in an action published elsewhere in this Federal Register which exempts the area from the section 182(f) NO_X requirements. As a consequence of this action, the USEPA also stops the sanctions clocks that had been started as a result of the findings made on January 21, 1994, regarding the incompleteness of the 15 percent ROP plan and the section $172(\hat{c})(9)$ contingency plan for the Detroit-Ann Arbor area and on May 11, 1994, regarding the basic I/M plan for the area.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air