significant emissions rate for SO₂ would be appropriate, based on the same criteria, for the proposed 5-minute standard, EPA would need to predict the 5-minute concentration that results from a source emitting 40 tpy of SO₂. The absence of an approved methodology for either directly modeling 5-minute SO₂ concentrations or converting modeled concentrations of SO₂ from a given averaging period (e.g., 3-hour, 1-hour) to a 5-minute average precludes EPA from completing its analysis of the adequacy of the existing significant emissions rate. Should EPA adopt a 5-minute NAAQS for SO2, EPA will further study the need for revisions of the significant emissions rate.

Because of the present difficulties associated with efforts to model 5-minute ambient concentrations of SO₂, EPA has also determined that it would be inappropriate to establish a significant ambient impact level for a 5-minute SO₂ NAAQS. In the event that adequate data and the appropriate performance evaluations become available to support the use of dispersion models to estimate 5-minute SO₂ concentrations in the future, EPA will consider the establishment of a 5-minute SO₂ significant ambient impact concentration.

Under the existing regulations, the reviewing authority may exempt a proposed major stationary source from the PSD pre-application monitoring requirements (40 CFR 51.166(m)) if either the air quality impacts resulting from the source, or the existing ambient concentrations of the particular pollutant in the area of the source, are less than the prescribed significance level for that pollutant. For SO₂, the significance level is 13 µg/m³ (24-hour average). Since models are not available for a source to project its ambient impact for 5-minute averaging periods, EPA believes that consideration of a new significance level for SO₂ based on a 5-minute averaging time is not practical at this time. Instead, EPA proposes to continue using the existing 24-hour significance level in conjunction with the pre-application monitoring requirement at 40 CFR 51.166(m). Thus, if a source finds that it must gather ambient data for SO₂, based on ambient impacts and existing air quality concentrations exceeding the SO₂ significance level, then the applicant will be required to gather 5minute air quality data in addition to data for all other applicable averaging periods for SO₂.

As indicated in the preceding discussion, for several different PSD program elements, EPA proposes to retain existing SO₂ significance levels

instead of pursuing the possibility of revising the significance levels based on a new 5-minute SO₂ NAAQS. The EPA requests the public's views about this proposed use of existing significance levels.

The PSD program also includes specific air quality limitations, known as increments, which define maximum allowable increases in pollutant concentrations. These increments prevent unlimited increases in ambient pollutant concentrations beyond a determined baseline concentration for a particular area.4 Section 166 of the Act authorizes EPA to promulgate new increments within 2 years from the date of promulgation of new NAAQS. The existing PSD regulations include increments for SO₂ for the 3-hour, 24hour and annual averaging periods. The EPA will determine the need for a 5minute increment for SO₂, especially in light of the present difficulties which restrict the Agency's ability to use air quality dispersion models to determine the amount of increment that would be consumed by new and modified SO₂ sources for a 5-minute averaging period. The EPA will also investigate the feasibility of developing and implementing alternatives to numerical air quality increments (expressed in µg/ m³), as authorized under section 166(d) of the Act. In any event, EPA will not propose new increments for SO₂ until such time that a new 5-minute SO₂ NAAQS is first promulgated.

(d) Schedule for Submittal of Section 110(a)(1) SIP's. Section 110(a)(1) states that the SIP's required by that subsection are to be submitted to EPA "within 3 years (or such shorter period as the Administrator may prescribe) after the promulgation of a national primary ambient air quality standard (or any revision thereof) under section 109." Such SIP's are to provide for "implementation, maintenance and enforcement" of the new NAAQS. Section 110(a)(1), however, must be

read in light of the timetable for designations of areas as nonattainment, attainment, or unclassifiable under section 107(d)(1) described above, and the explicit timetables for SIP submissions for nonattainment areas under part D of title I. Section 107(d)(1) provides that designations must occur within 3 years of the promulgation of a new NAAQS and the part D provisions (sections 172(b) and 191(a)) provide for the submission of SIP's meeting the requirements of section 172(c) within a specified time period following the designation of an area as nonattainment.

The EPA believes that these provisions can best be harmonized in the context of a new 5-minute SO₂ NAAQS by interpreting the section 110(a)(1) deadline as being satisfied by the submission of SIP elements whose content does not depend on the designation of an area. In the case of SIP's concerning a new 5-minute SO₂ NAAQS, EPA believes that such submissions would be limited to SIP revisions concerning compliance with the monitoring requirements of section 110(a)(2)(B) and the resource requirements of section 110(a)(2)(E). The EPA believes that, until a problem with maintaining a new 5-minute NAAQS is identified, it is reasonable to view the already-existing substantive SIP provisions as adequate and that it would be absurd to require areas to adopt additional control requirements or emission limitations prior to the identification of particular problem sources. The EPA notes that any areas designated nonattainment will be subject to further SIP submission deadlines requiring the submission of nonattainment area SIP's under part D of title I that satisfy the substantive requirements of section 172(c).

Moreover, with respect to the monitoring and resource SIP elements, EPA believes that any changes to existing SIP's that would be needed will not be significant in terms of scope or effort. Indeed, some States may have to make minimal or no changes to their own rules in order to implement the new monitoring requirements. For this reason, and because the changes in monitoring requirements will assist in developing information about ambient air quality that will be relevant to designations, EPA is proposing that all States submit any needed SIP revisions within 1 year of final action on today's proposal.

D. Nonattainment Area Requirements

Areas designated nonattainment must meet the SIP requirements of part D of title I as well as the requirements of

section 110. The provisions of part D

⁴The PSD areas (areas designated as attainment or unclassifiable under section 107 of the Act) are further categorized as Class I, II, or III areas (section 162 of the Act). Each of these classifications determines the "maximum allowable increases" or increment of air quality deterioration permissible (section 163 of the Act). Only a relatively small increment of air quality deterioration is permissible in Class I areas and consequently these areas are afforded the greatest amount of air quality protection. An increasingly greater amount of air quality deterioration is allowed in Class II and III areas

Air quality deterioration is measured from the date on which the first PSD application is submitted. This date becomes the baseline date after which any change in actual emissions affects the allowable increment. In all instances, however, the NAAQS represent the overarching air quality ceiling that may not be exceeded, notwithstanding any allowable increment.