disapproves in whole or in part a required submission, or finds that any part of an approved SIP is not being implemented. Section 179(a) provides for the imposition of mandatory sanctions unless the deficiency identified by EPA (e.g., the failure to submit or disapproval) is corrected within 18 months. Moreover, section 110(m) provides EPA with the discretionary authority to impose sanctions at any time after a finding, disapproval or determination under section 179(a).

With respect to mandatory sanctions, section 179(a) provides that unless the State corrects the deficiency within 18 months, one of the two sanctions referred to in section 179(b) (i.e. highway or offset sanctions) shall be selected by EPA and will apply until EPA determines that the State has come into compliance. (In the case of a finding of failure to submit a required SIP revision, the sanctions would not be lifted until EPA determines that the State has submitted a SIP revision that satisfies the completeness criteria.) If 6 months after the imposition of the first sanction the State still has not corrected the deficiency, then the second sanction shall apply as well. If EPA finds a lack of good faith on the part of the State, then both the highway and offset sanctions are applied 18 months after the finding or disapproval.

The EPA has discussed in detail issues concerning the imposition of sanctions in a number of Federal Register notices. The criteria for imposing discretionary sanctions on a statewide basis are discussed in a February 11, 1994 Federal Register notice, Criteria for Exercising Discretionary Sanctions Under Title I of the Clean Air Act (59 FR 1476), and are codified at 40 CFR 52.30. The preamble to this notice also sets forth EPA's policy with respect to section 110(m) sanctions. Mandatory sanctions were discussed in a October 1, 1993 proposal (58 FR 51270) and in the August 4, 1994 final rule (59 FR 39832) selecting the order of mandatory sanctions under section 179. That final rule does not apply to State failures to respond to SIP calls. The EPA intends to address sanctions for such failures in a future rulemaking.

Apart from sanctions under sections 110(m) and 179(b), other consequences may also attach to a failure to comply with the Act's SIP submission or implementation requirements. First, section 179(a) authorizes EPA to withhold all or part of section 105 grants for air pollution control planning and control programs. Second, section 110(c)(1)(B) provides that within 2 years

of a finding that a State has failed to make a required submittal, a finding that a required submittal was not complete, or a disapproval of a submission (in whole or in part), EPA shall promulgate a FIP unless EPA approves a submitted SIP that corrects the deficiency. In support of this requirement, EPA intends to use its authority to withhold all or part of section 105 grants to develop and implement FIP's where a State fails to comply with the Act's SIP submission or implementation requirements.

VI. Significant Harm Levels and Episode Criteria

In a notice published in the Federal Register on April 26, 1988 (53 FR 14926), in which the EPA proposed not to revise the SO₂ NAAQS, the EPA at the same time proposed to revise the significant harm levels for SO₂. Since final action was never taken on that proposal, EPA is reproposing to revise the 24-hour significant harm levels.

Section 303 of the Act authorizes the Administrator to take certain emergency actions if pollution levels in an area constitute "an imminent and substantial endangerment to public health or welfare, or the environment." The Act and EPA's regulations governing adoption and submittal of SIP's (section 110(a)(2)(G) and 40 CFR 51.16 and subpart H of part 51) require States to adopt contingency plans to prevent ambient pollutant concentrations from reaching specified significant harm levels and to take additional abatement actions if such levels are reached. The existing significant harm levels (40 CFR 51.16a) for SO₂ were established in 1971 (36 FR 24002, November 21, 1971) at the following levels: SO₂ alone—1.00 ppm (2620 μg/m³) 24-hour average of SO₂; and $SO_2 \times tsp-490 \times 103 \ (\mu g/m^3) \ 2$ 24-hour average product of SO₂ and tsp concentrations.

On the basis of EPA's reassessment of the data upon which these levels were based and its assessment of more recent scientific evidence on sulfur oxides and particulate matter, EPA proposes to revise the significant harm levels for SO₂.

In actions related to the revisions of the particulate matter standards, EPA has already eliminated the combined tsp/SO₂ significant harm level (52 FR 24672, July 1, 1987). In doing so, EPA left open the possibility of reinstating an $SO_2/PM-10$ significant harm level, if necessary for additional protection against SO_2 effects, at the conclusion of the SO_2 review. The scientific data suggest that SO_2 in combination with high levels of particulate matter have been associated with increases in daily

mortality. The final 24-hour PM–10 significant harm level of $600~\mu g/m^3$ takes this potential interaction into account. Addition of a combined SO₂/PM–10 significant harm level therefore appears unnecessary.

Removal of the combined significant harm level raises the question as to whether the remaining SO₂ significant harm level is sufficient. The possibility that SO₂ alone or in combination with other pollutant or fog droplets may be in part responsible for the effects associated with 24-hour exposures suggests the need to continue a 24-hour significant harm level for SO₂ alone at a substantially lower concentration. The EPA's assessment of studies of daily mortality (EPA, 1986a, Table 1 and EPA, 1986b Table 4–2) indicates greatest certainty of some increased daily mortality associated with high particle concentrations in combination with SO₂ levels at or above 750 μ g/m³ (0.29 ppm) for 24-hours. Accordingly, EPA proposes to revise the 24-hour SO₂ significant harm level from 1.0 (2,620 $\mu g/m^3$) to 0.29 ppm (750 $\mu g/m^3$).

Appendix L to part 51 contains example air pollution episode levels and example contingency plans for the purpose of preventing air pollution from reaching the significant harm levels prescribed in section 51.151. The examples in appendix L serve as guides to States for the development of their own contingency plans. To conform with the proposed revisions to the significant harm level for SO₂, certain changes to appendix L are required. The EPA proposes the following revisions to the example 24-hour episode levels for SO₂.

(1) That the example alert level for SO_2 be changed from $800 \mu g/m^3$ to 0.19 ppm (500 $\mu g/m^3$), 24-hour average.

(2) That the example warning level for SO_2 be changed from $1600 \mu g/m^3$ to $0.23 ppm (600 \mu g/m^3)$, 24-hour average.

(3) That the example emergency level for SO₂ be changed from 2100 μg/m³ to 0.26 ppm (675 μg/m³), 24-hour average.

The basis for changing the episode levels for SO₂ is the same as discussed above for the revisions to the significant harm level. With respect to example episode levels, the proposed alert level reflects the upper bound of the 24-hour range of interest for the NAAQS presented in the staff paper addendum (EPA, 1986b, Table 2). The staff paper concludes that at or above 0.19 ppm (500 μg/m³) for 24 hours, health effects are likely to occur in certain sensitive population groups (EPA, 1982a, page 72). Therefore, it would be appropriate under the episode criteria to initiate first stage control action when this ambient level of SO₂ occurs. The proposed 24-