1994, the State submitted a request for parallel processing of the ozone maintenance plan and resubmitted a reorganized ozone redesignation request which included, among other things, NSR rule revisions for all of the State's nonattainment areas. On the basis of the State's reorganized redesignation request and request for parallel processing, EPA withdrew the January 19, 1994 finding of incompleteness in a July 7, 1994 letter to the Governor and deemed the State to have submitted a complete ozone redesignation request, including a complete nonattainment area NSR submittal, on November 12, 1993.

Since the increased emission offset ratio requirements for new and modified sources of VOCs and NO<sub>X</sub> in the State's moderate ozone nonattainment areas were not submitted by November 15, 1992, EPA made a finding, pursuant to section 179 of the Act, that the State failed to submit that SIP element and notified the Governor in a letter dated January 15, 1993. After the VOC/NO<sub>X</sub> emission offset rules for the State's ozone nonattainment areas were resubmitted on June 27, 1994 along with the reorganized ozone redesignation request, EPA determined that the State's submittal was administratively and technically complete on July 7, 1994 as stated above. This completeness determination corrected the State's deficiency and, therefore, terminated the 18-month sanctions clock under section 179 of the Act.

Promulgation of full approval of Utah's ozone NSR rules will fulfill EPA's obligation under section 110(c)(1) of the Act, which requires that EPA either approve the State's submittal or promulgate a NSR Federal implementation plan (FIP) within 24 months of EPA's finding that the State failed to submit the NSR rules (i.e, by January 15, 1995).

## 2. Volatile Organic Compound Definition

The State of Utah held a public hearing on March 9, 1993 for the revisions to the definition of VOCs in UACR R307–1–1 to entertain public comment on this SIP revision. Following the public hearing, the revised VOC definition was adopted by the State on March 26, 1993. This revision was submitted to EPA on May 20, 1994 as a proposed revision to the SIP.

The SIP revision was reviewed by EPA to determine completeness shortly after its submittal, in accordance with the completeness criteria referenced above. The submittal was found to be complete, and a letter dated October 20, 1994 was forwarded to the Governor indicating the completeness of the submittal and the next steps to be taken in the processing of the submittal.

## B. Review of Submittal for Meeting the Nonattainment NSR Requirements of the Act

1. General Nonattainment NSR Requirements

The general statutory requirements for nonattainment NSR SIPs and permitting as amended by the 1990 Amendments are found in sections 172 and 173 of the Act. These requirements apply in all nonattainment areas. The following represents EPA's review of the State's regulation in meeting the NSR requirements of the amended Act:

(1) The amended Act repealed the construction ban provisions previously found in section 110(a)(2)(I) with certain exceptions.

No construction bans are currently imposed in Utah, so this requirement is inapplicable.

(2) Section 173(a)(1)(A) of the Act requires a demonstration for permit issuance that the new source growth does not interfere with reasonable further progress (RFP) for the area. In addition, calculations of emissions offsets must be based on the same emissions baseline used in the demonstration of RFP.

In UACR R307–1–3.3.2.C.(3), R307–1– 3.3.3.A.(2), and R307–1–3.3.5, the State has established provisions which adequately address section 173(a)(1).

(3) Section 173(c)(1) of the Act requires that offsets must generally be obtained by the same source or other sources in the same nonattainment area. However, offsets may be obtained from other nonattainment areas if: The area in which the offsets are obtained has an equal or higher nonattainment classification; and emissions from the nonattainment area in which the offsets are obtained contribute to a National Ambient Air Quality Standard (NAAQS) violation in the area in which the source would construct.

In UACR R307–1–3.3.3.A.(1), the State has established provisions that adequately meet this requirement of section 173(c)(1).

(4) Section 173(c)(1) of the Act requires that any emissions offsets obtained in conjunction with the issuance of a permit to a new or modified source must be in effect and enforceable by the time the new or modified source commences operation.

In UACR R307.1.3.3.3.A.(2), the State has established provisions that adequately meet this requirement of section 173(c)(1). (5) Section 173(c)(1) of the Act requires that emissions increases from new or modified major stationary sources are offset by real reductions in actual emissions.

In UACR R307–1–3.3.3.A.(2), the State has established provisions that adequately meet this requirement of section 173(c)(1).

(6) Section 173(c)(2) of the Act prohibits emissions reductions otherwise required by the Act from being credited for purposes of satisfying the part D offset requirements.

In UACR R307–1–3.3.3.A.(3), the State has established provisions that adequately meet the requirements of section 173(c)(2).

(7) Section 173(a) (3) provides that, as a condition of permit issuance, states must require the owner or operator of a proposed new or modified source to demonstrate that all major stationary sources under the same ownership or control are in compliance or are on a schedule for compliance with all applicable emission limitations and standards.

In UACR R307–1–3.3.2.C.(2), the State has established provisions that adequately meet the requirements of section 173(a)(3).

(8) Section 173(a)(2) requires a new or modified major stationary source to comply with the lowest achievable emission rate (LAER).

In UACR R307–1–3.3.2.C.(1), the State has established provisions that adequately meet the requirements of section 173(a)(2).

(9) Revised sections 172(c)(4), 173(a)(1)(B), and 173(b) of the Act limit and invalidate use of certain growth allowances in nonattainment areas.

This requirement is inapplicable because the State of Utah has not established any growth allowances in its nonattainment area SIPs.

(10) Revised section 173(a)(5) of the Act requires that, as a prerequisite to issuing any part D permit, an analysis of alternative sites, sizes, production processes, and environmental control techniques for a proposed source must be completed which demonstrates that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

In UACR R307–1–3.1.10, the State has established provisions which adequately address the requirements of section 173(a)(5).

(11) Section 173(d) of the Act requires States to submit control technology information from permits to EPA for the purposes of making such information