

Second, with respect to the attainment demonstration requirements of section 182(b)(1), an analogous rationale leads to the same result. Section 182(b)(1) requires that the plan provide for "such specific annual reductions in emissions \* \* \* as necessary to attain the national primary ambient air quality standard by the attainment date applicable under this Act." As with the RFP requirements, if an area has in fact monitored attainment of the standard, USEPA believes there is no need for an area to make a further submission containing additional measures to achieve attainment. This is also consistent with the interpretation of certain section 172(c) requirements provided by USEPA in the General Preamble to Title I, as USEPA stated there that no other measures to provide for attainment would be needed by areas seeking redesignation to attainment since "attainment will have been reached." (57 FR at 13564; see also September 1992 Calcagni memorandum at page 6.) Upon attainment of the NAAQS, the focus of State planning efforts shifts to the maintenance of the NAAQS and the development of a maintenance plan under section 175A.

Similar reasoning applies to other related provisions of subpart 2 such as the contingency measure requirements of section 172(c)(9). USEPA has previously interpreted the contingency measure requirement of section 172(c)(9) as no longer being applicable once an area has attained the standard since those "contingency measures are directed at ensuring RFP and attainment by the applicable date." (57 FR at 13564; see also September 1992 Calcagni memorandum at page 6.)

USEPA emphasizes that the lack of a requirement to submit the SIP revisions discussed above exists only for as long as an area designated nonattainment continues to attain the standard. If USEPA subsequently determines that such an area has violated the NAAQS, the basis for the determination that the area need not make the pertinent SIP revisions would no longer exist. The USEPA would notify the State of that determination and would also provide notice to the public in the **Federal Register**. Such a determination would mean that the area would have to address the pertinent SIP requirements within a reasonable amount of time, which USEPA would establish taking into account the individual circumstances surrounding the particular SIP submissions at issue. Thus, a determination that an area need not submit one of the SIP submittals amounts to no more than a suspension

of the requirement for so long as the area continues to attain the standard.

The State must continue to operate an appropriate air quality monitoring network, in accordance with 40 CFR part 58, to verify the attainment status of the area. The air quality data relied upon to determine that the area is attaining the ozone standard must be consistent with 40 CFR Part 58 requirements and other relevant USEPA guidance and recorded in USEPA's Aerometric Information Retrieval System (AIRS).

The determinations that are being made with this action are not equivalent to the redesignation of the area to attainment. Attainment of the ozone NAAQS is only one of the criteria set forth in section 107(d)(3)(E) that must be satisfied for an area to be redesignated to attainment. To be redesignated the State must submit and receive full approval of a redesignation request for the area that satisfies all of the criteria of that section, including the requirement of a demonstration that the improvement in the area's air quality is due to permanent and enforceable reductions and the requirements that the area have a fully-approved SIP meeting all of the applicable requirements under section 110 and part D and a fully-approved maintenance plan.

Furthermore, the determinations made in this action do not shield an area from future USEPA action to require emissions reductions from sources in the area where there is evidence, such as photochemical grid modeling, showing that emissions from sources in the area contribute significantly to nonattainment in, or interfere with maintenance by, other nonattainment areas. USEPA has authority under sections 110(a)(2)(A) and 110(a)(2)(D) to require such emission reductions if necessary and appropriate to deal with transport situations.

## II. Analysis of Air Quality Data

The USEPA has reviewed the ambient air monitoring data for ozone (consistent with the requirements contained in 40 CFR Part 58 and recorded in AIRS) for the Grand Rapids and Muskegon ozone nonattainment areas in the State of Michigan from 1992 through the present time. On the basis of that review USEPA has concluded that the area attained the ozone standard during the 1992-1994 period and continues to attain the standard at this time. For ozone, an area may be considered attaining the NAAQS if there are no violations, as determined in accordance with the regulation codified at 40 CFR 50.9, based on three

(3) consecutive calendar years of complete, quality assured monitoring data. A violation occurs when the ozone air quality monitoring data show greater than one (1) average expected exceedance per year at any site in the area at issue. An exceedance occurs when the maximum hourly ozone concentration exceeds 0.124 parts per million (ppm). The data should be collected and quality-assured in accordance with 40 CFR part 58, and recorded in the AIRS in order for it to be available to the public for review.

The Grand Rapids and Muskegon areas have demonstrated attainment of the ozone NAAQS based on ozone monitoring data for the years 1992 through 1994. The ozone monitoring network in Grand Rapids consists of two monitors located in Kent County. A monitor was established in Ottawa County in 1989 and relocated to Allegan County in 1993. The State, however, did reestablish a monitor in Ottawa county in 1994. Two exceedances of the ozone standard have been monitored since 1992 in the Grand Rapids area, both of these occurred at the Grand Rapids monitor in Kent County. At this site, the first exceedance of 0.156 ppm occurred in 1993, and the second exceedance of 0.149 ppm occurred in 1994. The ozone monitoring network in Muskegon consists of one monitor located in Muskegon County. Three exceedances of the ozone standard have been monitored since 1992 in the Muskegon area, all three of these occurred at the Muskegon monitor in Muskegon County. At this site, one exceedance was recorded during each of the years 1992, 1993, and 1994 at concentrations of 0.129 ppm, 0.141 ppm, and 0.146 ppm, respectively. Data stored in AIRS was used to determine the annual average expected exceedances for each area for the years 1992, 1993, and 1994. Data contained in AIRS have undergone quality assurance review by the State and USEPA. Since the annual average number of expected exceedances for each monitor during the most recent three years is equal to 1.0, the Grand Rapids and Muskegon areas are considered to have attained the standard. A more detailed summary of the ozone monitoring data for the area is provided in the USEPA technical support document dated May 12, 1995.

## III. Final Action

USEPA determines that the Grand Rapids and Muskegon ozone nonattainment areas have attained the ozone standard and continue to attain the standard at this time. As a consequence of USEPA's determination that the Grand Rapids and Muskegon