would require a redesignation back to nonattainment.

(2) *Response:* The USEPA may not delay action on this redesignation request since section 107(d)(3)(E) requires USEPA to act on complete redesignation requests within 18 months of their receipt—a period that expired on March 17, 1995. Furthermore, in establishing the criteria for determining if an area is in attainment of the ozone standard, USEPA used three years of ambient monitoring data. See 40 CFR part 50, Appendix H. The USEPA notes that the Toledo area has been in attainment for four consecutive three-year periods (1989–1991, 1990–1992, 1991–1993, and 1992–1994). This includes six years of ambient monitoring data. Thus, Toledo has already been in attainment substantially longer than the three-year period required. The CAA expressly contemplates the possibility that areas redesignated to attainment may violate the NAAQS after redesignation and requires contingency plans to address future violations. Ohio has adopted such a plan for Toledo. If a violation occurs, Stage II Vapor Recovery Program (Stage II) and a vehicle inspection and maintenance program (I/M) will be implemented according to a specified schedule. If a violation occurs after these programs have been implemented, nitrogen oxides (NO_X) Reasonably Available Control Technology requirements will be implemented in the area.

(3) *Comment:* Toledo will not be able to maintain attainment on a permanent and enforceable basis and therefore does not meet requirement 107(d)(3)(E) of the Clean Air Act. The rulemaking notice states that the *measures* are permanent and enforceable, but does not show that the *improvement* is permanent and enforceable. The improvement in air quality is temporary since emission increases resulting from increased vehicle miles travelled (VMT) will surpass the emission reductions from these measures. Short term emissions reductions and cooler temperatures have been used to claim that a long term improvement in air quality has occurred. Long term air quality will not improve and will decrease due to emissions increases which will offset the gains which have been made. Insufficient data has been gathered on which to base a long term prediction, and models have been based on biased assumptions regarding the effect of capacity expansions. The USEPA should require the state to submit additional information regarding current trends in land use and transportation in the Toledo area. The commentor mentioned trends which were not conducive to efficient transportation such as decreasing bus ridership, increasing tolls on the Ohio Turnpike, widening of I–75 which will lead to increased VMT, increasing single-occupant vehicle capacity, and increasing use of the Toledo Airport. Another commentor submitted excerpts from an article regarding traffic flow on congested roads from the *American Scientist* dated November-December 1988 written by Joel E. Cohen, Professor of Populations, Rockefeller University.

The USEPA and the State of Ohio have failed to demonstrate that the improvement in air quality was due to permanent and enforceable emission reductions rather than atypically cool ozone seasons in 1992 and 1993. Also the controls on the volatility of gasoline through lowering of the Federal Volatility standard and controls new cars under the Federal Motor Vehicle Emissions Control Program (FMVECP) are insufficient to guarantee permanent improvements under the Clean Air Act. These measures represent only a few of the requirements that should have been enacted prior to any serious consideration of the redesignation request by USEPA.

(3) *Response:* Section 107(d)(3)(E)(iii) of the Clean Air Act requires the USEPA to determine that ''the improvement in air quality is due to permanent and enforceable reductions in emissions resulting from implementation of the applicable implementation plan and applicable Federal air pollutant control regulations and other permanent and enforceable reductions.'' Ohio met this requirement by estimating emission reductions from federally mandated controls on new cars and on fuel volatility as well as reductions which took place at the British Petroleum Refinery. These controls provided a significant reduction in the areas emissions and the State has shown that no additional reductions are needed to maintain the standard. See 60 FR 21456 and 60 FR 21490.

With respect to the issue of unusual meteorology, the USEPA has compared the average meteorological parameters of maximum daily temperature, minimum daily temperature, average daily temperature, cooling degrees, and days with high temperatures greater than 90 degrees fahrenheit for the periods of June through August, 1991 through 1993, with the 30-year norms for these parameters. The 1991 through 1993 averages for these parameters agreed with those for the 30-year norms with only minor differences. Based on these averaged parameters, it can be concluded that the 1991 through 1993 period was not unusually cool in terms of temperatures. Thus, the State has adequately demonstrated that the air quality improvement was not due to unusually favorable meteorology.

To meet section 107(d)(3)(E)(iii), the improvement in air quality does not have to be shown to be permanent, only the measures that resulted in the improvement need to be permanent and enforceable. However, section 107(d)(3)(E)(iv) does require that the area have a fully approved maintenance plan showing that the ozone standard will be maintained for ten years into the future. This can be done through air quality modeling or by using emissions projections. Ohio demonstrated that, by considering the growth in the area (including VMT growth) and existing controls on emission sources, emissions will remain below the attainment year inventory through the year 2005. In projecting mobile source emissions, Ohio obtained VMT based on the Highway Performance Modeling System which uses traffic counting data for the year 1990. To forecast VMT to the year 2005, Ohio used growth parameters based on modeling of the Long Range Transportation Plan (future highway network). This modeling process incorporated population growth estimates from Ohio Data Users Center, employment forecasts and other forecasts of socio-economic data. The methodology which was used to project emissions is reasonable. The USEPA notes that the emissions projection for mobile sources in the maintenance plan establishes the emissions budget which will be used for determining conformity of transportation plans and transportation improvement programs for the Toledo area. The conformity determination must include reasonable assumptions about transit service and increases in transit fares and road and bridge tolls over time.

The May 2, 1995 notice describes a tracking plan for updating the emission inventory. As discussed, Ohio has committed to submitting periodic inventories every 3 years. Ohio will compare the projected emissions in the redesignation request with actual emissions. If volatile organic compounds (VOC) emissions exceed 95 percent of 1990 levels, Ohio will implement Stage II and/or I/M.

If the periodic inventories exceed the attainment level of emissions in the maintenance plan, the USEPA may issue a SIP call to the area under section 110(k)(5) on the basis that the State made inadequate assumptions in projecting the inventory used to demonstrate maintenance. In this event, the USEPA may require the State to