

plan revision is submitted to EPA and found to be complete.

(b) \* \* \*

(2) Until August 8, 1995, for ozone nonattainment areas where EPA has notified the State, MPO, and DOT of the State's failure to submit a control strategy implementation plan revision required by Clean Air Act sections 182(c)(2)(A) and/or 182(c)(2)(B), failure to submit an attainment demonstration for an intrastate moderate ozone nonattainment area that chose to use the Urban Airshed Model for such demonstration, or failure to submit an attainment demonstration for a multistate moderate ozone nonattainment area, the following shall apply in lieu of the provisions of paragraph (b)(1) of this section:

(i) The conformity status of the transportation plan and TIP shall lapse on the date that highway sanctions are imposed on the nonattainment area for such failure under section 179(b)(1) of the Clean Air Act, unless the failure has been remedied and acknowledged by a letter from the EPA Regional Administrator; and

(ii) The consequences described in paragraph (b)(1) of this section shall be nullified if such provisions have been applied as a result of a failure described in paragraph (b)(2) of this section, and paragraph (b)(2) of this section shall henceforth apply with respect to any such failure.

\* \* \* \* \*

(c) \* \* \*

(2) Until August 8, 1995, for the ozone nonattainment areas described in paragraph (c)(2)(i) of this section, the following shall apply in lieu of the provisions of paragraph (c)(1) of this section:

(i) The conformity status of the transportation plan and TIP shall lapse on the date that highway sanctions are imposed on the nonattainment area under section 179(b)(1) of the Clean Air Act for the failures described below, unless the failure has been remedied and acknowledged by a letter from the EPA Regional Administrator, in ozone nonattainment areas where EPA notifies the State, MPO, and DOT that any of the following control strategy implementation plan revisions are incomplete:

(A) The implementation plan revision due November 15, 1994, as required by Clean Air Act sections 182(c)(2)(A) and/or 182(c)(2)(B);

(B) The attainment demonstration required for moderate intrastate ozone nonattainment areas which chose to use the Urban Airshed Model for such demonstration and for multistate moderate ozone nonattainment areas; or

(C) The VOC reasonable further progress demonstration due November 15, 1993, as required by Clean Air Act section 182(b)(1), if EPA notes in its incompleteness finding as described in paragraph (c)(1)(iii) of this section that the submittal would have been considered complete with respect to requirements for emission reductions if all committed measures had been submitted in enforceable form as required by Clean Air Act section 110(a)(2)(A); and

(ii) The consequences described in paragraph (c)(1) of this section shall be nullified if such provisions have been applied as a result of a failure described in paragraph (c)(2)(i) of this section, and paragraph (c)(2) of this section shall henceforth apply with respect to any such failure.

\* \* \* \* \*

(d) \* \* \*

(4) Until August 8, 1995, for areas otherwise subject to paragraph (d)(3) of this section, the conformity lapse imposed by the final sentence of paragraph (d)(3) of this section shall not apply. The conformity status of the transportation plan and TIP shall lapse on the date that highway sanctions as a result of the disapproval are imposed on the nonattainment area under section 179(b)(1) of the Clean Air Act, unless another control strategy implementation plan revision is submitted to EPA and found to be complete.

\* \* \* \* \*

[FR Doc. 95-3003 Filed 2-7-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Parts 52 and 81

[OH06-2-6229, OH01-2-6230, OH32-2-6231; FRL-5151-1]

#### Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** USEPA is approving a redesignation request and maintenance plan for Preble, Columbiana, and Jefferson County, Ohio as a revision to Ohio's State Implementation Plan (SIP) for ozone.

The revision is based on a request from the State of Ohio to redesignate these areas, and approve their maintenance plans, and on the supporting data the State submitted. Under the Clean Air Act, designations can be changed if sufficient data are available to warrant such change.

**EFFECTIVE DATE:** This final rule becomes effective on March 10, 1995.

**ADDRESSES:** Copies of the requested redesignation, maintenance plan, and other materials relating to this rulemaking are available for public inspection during normal business hours at the following addresses: United States Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard (AE-17J), Chicago, Illinois 60604; and Jerry Kurtzweg (ANR-443), United States Environmental Protection Agency, 401 M Street, S.W. Washington, D.C. 20460. (It is recommended that you telephone William Jones at (312) 886-6058, before visiting the Region 5 Office.)

**FOR FURTHER INFORMATION CONTACT:** William Jones, Regulation Development Section, Air Enforcement Branch (AE-17J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-6058.

**SUPPLEMENTARY INFORMATION:** Under Section 107(d) of the pre-amended Clean Air Act (CAA), the United States Environmental Protection Agency (USEPA) promulgated the ozone attainment status for each area of every State. For the State of Ohio, Preble, Columbiana, and Jefferson Counties were designated as nonattainment areas for ozone. See 43 FR 8962 (March 3, 1978), and 43 FR 45993 (October 5, 1978). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. No. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. Pursuant to Section 107(d)(1)(C)(i) of the amended CAA, Preble, Jefferson, and Columbiana Counties retained their designations of nonattainment for ozone by operation of law. See 56 FR 56694 (November 6, 1991). At the same time, Preble and Jefferson Counties were classified as transitional areas; and Columbiana County was classified as an incomplete data area.

The Ohio Environmental Protection Agency (OEPA) requested that Preble County be redesignated to attainment in a letter dated May 23, 1986; and that Jefferson and Columbiana Counties be redesignated to attainment in a letter dated July 14, 1986. On December 20, 1993, the United States Environmental Protection Agency (USEPA) proposed to disapprove the requested redesignations. See 58 FR 66334. The public comment period was from December 20, 1993, to January 19, 1994. Only one public comment was received on the proposed rulemaking to disapprove the redesignations. It was a January 18, 1994, letter from the State of Ohio requesting a 90-day extension of