

# GUIDELINE SERIES

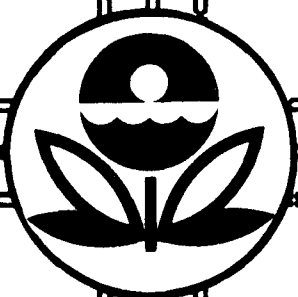
OAQPS NO. 3.0-004

August 17, 1976

DE-DESIGNATION OF AIR QUALITY MAINTENANCE

AREAS

(Memo)



U.S. ENVIRONMENTAL PROTECTION AGENCY

Office of Air Quality Planning and Standards

Research Triangle Park, North Carolina

EP 450/2  
76-501-4

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

SUBJECT: De-designation of Air Quality Maintenance Areas

DATE 17 AUG 1976

FROM:

B.J. Steigerwald, Director *Campbell*  
Office of Air Quality Planning and Standards

Director, Air and Hazardous Materials Division, Regions I, III-X

Director, Environmental Programs Division, Region II

In response to requests from several Regional Offices, the following guidance is being supplied on procedures for de-designating air quality maintenance areas (AQMA's).

De-designation of an area identified and listed as an AQMA in 40 CFR 52 is a revision to the SIP and should be handled as a rule-making action. As such, these actions should follow the procedures for SIP revisions as set forth in the Guideline, "Revisions to State Implementation Plans--Procedures for Approval/Disapproval Actions," OAQPS No. 1.2-005A, Revised, October, 1975.

AQMA's should only be de-designated if the analysis required by 40 CFR 51, Subpart D shows that a maintenance plan is not necessary. Accordingly, the Regional Office must prepare a technical support document containing that AQMA analysis, which shows that the AQMA maintains all standards for the pollutants for which it was designated over the time period established pursuant to 40 CFR 51.42. (This period must be at least 20 years from the date of AQMA identification. The Regional Administrator may, however, modify the period to be no less than 10 years, but in doing so, he must follow the procedures of 40 CFR 51.63, which include publication of the modification in the Federal Register.)

EPA is required, as part of its rulemaking procedures, to (1) process the changes in the Federal Register and make the documented support for these actions available to the public, (2) allow a minimum of 30 days for public comments, (3) consider comments received from the public, and (4) address those comments in the final promulgation of the action in the Federal Register removing the area from the AQMA list. Administrative guidance for these tasks is given in the guideline previously mentioned. Should the State not hold public hearings as required by Section 110(a)(3)(A) of the Clean Air Act and 40 CFR 51, then the Regional Office will have to provide an opportunity for such hearings as required under Section 110(c)(1) of the Act.

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As an interim policy, it is appropriate to process de-designations as "special actions" until sufficient experience is developed and an adequate precedent has been established.

If there are any questions concerning this guidance memorandum or the referenced OAQPS Guideline, please refer them to the Control Programs Development Division, Standards Implementation Branch, attention of Joseph Sableski (FTS 629-5437).

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