

202(a)(b). Thus, Stage II is not an applicable requirement for purposes of evaluating this redesignation.

(v) *Vehicle Inspection and Maintenance (I/M)*. On January 5, 1995, the USEPA revised the I/M Program Requirements promulgated on November 5, 1992 (60 FR 1735). See 60 FR 1735. The revision allows areas subject to the basic I/M program requirements and that otherwise qualify for redesignation from nonattainment to attainment for ozone or carbon monoxide NAAQS to defer adoption and implementation of some of the otherwise applicable requirements established in the original promulgation of the I/M rule. USEPA amended Subpart S to allow such areas to be redesignated if they submit a SIP that contains the following four elements: (1) Legal authority for a basic I/M program (or an enhanced program, as defined in the Federal rule, if the state chooses to opt up), meeting all of the requirements of Subpart S such that implementing regulations can be adopted without further legislation; (2) a request to place the I/M plan or upgrades, as defined in the Federal rule, (as applicable) in the contingency measures portion of the maintenance plan upon redesignation as described in the fourth element below; (3) a contingency measure to go into effect as soon as a triggering event occurs, consisting of a commitment by the Governor or the governor's designee to adopt regulations to implement the I/M program in response to the specified triggering event; and (4) a commitment that includes an enforceable schedule for adopting and implementing the I/M program, including appropriate milestones, in the event the contingency measure is triggered (milestones shall be defined in terms of months since the triggering event). USEPA believes that for areas that otherwise qualify for redesignation, a SIP meeting these four requirements would satisfy the obligation to submit "provisions to provide" for a satisfactory I/M program, as required by the statute.

Ohio has met each of the above four requirements. Section 3704.14(B) of Ohio's Administrative Code states "* * * The Director shall implement and supervise a basic or an enhanced motor vehicle inspection and maintenance program in a county that is within an area classified as nonattainment for carbon monoxide or ozone when such a program is included in the air quality maintenance plan or contingency plan for the nonattainment area that includes the county and that is submitted to the USEPA by the Director as required under section 175A of the CAAA as part of a request for

redesignation of the nonattainment area as attainment for carbon monoxide or ozone under section 107(d) of that Act, and the Director determines that the conditions requiring implementation of such a program and set forth in either such plan have been met." This provision allows the I/M program to be implemented in the Toledo area as part of a contingency plan. In addition, I/M programs in Ohio have been approved by USEPA (46 FR 31881). As noted in tables 3 and 4, Ohio has identified appropriate triggering events and submitted an enforceable implementation schedule for the I/M program. The commitment to implement I/M was contained in the letter from the Director of OEPA, the Governor's designee, requesting the redesignation of the Toledo area to attainment for ozone. This satisfies the remaining requirements of the I/M rule revision.

(vi) *1.15:1 VOC and NO_x Offsets Requirement for NSR*. As explained above, USEPA has determined that areas need not comply with the part D NSR requirements of the Act in order to be redesignated provided that the area is able to demonstrate maintenance without part D NSR in effect. As maintenance has been demonstrated for the Toledo area without part D NSR being in effect, USEPA is not requiring that the area have a fully-approved part D NSR plan meeting the requirements of sections 182(a) and (b) prior to redesignation.

(vii) *NO_x Requirement*. Section 182(f) establishes NO_x requirements for ozone nonattainment areas. However, it provides that it does not apply to an area such as Toledo if the Administrator determines that NO_x reductions would not contribute to attainment. The Administrator has made such a determination and has approved the State of Ohio's request to exempt the Toledo area from the section 182(f) NO_x requirements (60 FR 3760). Thus, the State of Ohio need not comply with the NO_x requirements of section 182(f) for Toledo to be redesignated. If a violation is monitored in the Toledo area, Ohio has committed to adopt and implement NO_x RACT rules as a contingency measure.

E. Section 107(d)(3)(E)(ii). The Administrator has fully approved the applicable implementation plan for the area under Section 110(k). USEPA has reviewed the SIP to ensure that it contains all measures that were due under the amended 1990 Act. Based on the approval of submittals under the pre-amended CAA, and USEPA's approval of SIP revisions under the amended CAA, USEPA has determined

that the Toledo area has a fully approved SIP under section 110(k), which also meets the applicable requirements of section 110 and part D as discussed above (45 FR 72122, 59 FR 51863, 60 FR 3760, 60 FR 15053, 60 FR 15235).

III. Transport of Ozone Precursors to Downwind Areas

Preliminary modeling results utilizing USEPA's regional oxidant model (ROM) indicate that ozone precursor emissions from various States west of the ozone transport region (OTR) in the northeastern United States contribute to increases in ozone concentrations in the OTR. The State of Ohio has provided documentation that VOC and NO_x emissions in the Toledo area will decrease 35 percent and 38 percent, respectively, from attainment levels by the year 2005. Given this decrease in emissions, the Toledo area's impact on ozone concentrations in the OTR will correspondingly be reduced. The USEPA is currently developing policy which will address long range impacts of ozone transport. The USEPA is working with the States and other organizations to design and complete studies which consider upwind sources and quantify their impacts. The USEPA intends to address the transport issue through Section 110 based on a domain-wide modeling analysis.

The USEPA notified Environment Canada of this action. The redesignation is not expected to have any adverse impact on Canada since emissions are expected to remain below levels associated with attainment conditions in the Toledo area.

IV. Final Rulemaking Action

The State of Ohio has met the requirements of the Act for revising the Ohio ozone SIP. The USEPA approves the redesignation of Lucas and Wood Counties to attainment areas for ozone. In addition, the USEPA approves the maintenance plan into the ozone SIP for these Counties. As noted earlier, this approval is contingent upon the direct final approval of Toledo's VOC RACT rules and 1990 Base-Year Emissions Inventory becoming effective.

Because USEPA considers this action to be noncontroversial and routine, USEPA is publishing this notice of approval without prior proposal. This action will become effective on July 3, 1995. However, if the USEPA receives adverse comments by June 1, 1995 on this action or by April 24, 1995, regarding the VOC RACT notice published at 60 FR 15235, or by April 21, 1995, regarding the 1990 Base-Year Emissions Inventory published at 60 FR