

**§ 52.424**

areas submitted by the Secretary of the Department of Natural Resources and Environmental Control on May 27, 1994. This submittal consists of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO<sub>x</sub>).

[61 FR 1841, Jan. 24, 1996]

**§ 52.424 Conditional approval.**

(a)-(d) [Reserved]

[62 FR 27197-27199, May 19, 1997, as amended at 63 FR 1368, Jan. 9, 1998; 63 FR 16435, Apr. 3, 1998; 64 FR 32189, June 16, 1999; 64 FR 52660, Sept. 30, 1999; 64 FR 55141, Oct. 12, 1999; 66 FR 9211, Feb. 7, 2001; 66 FR 32234, June 14, 2001]

**§ 52.425 [Reserved]**

**§ 52.426 Control strategy plans for attainment and rate-of-progress: ozone.**

(a) EPA fully approves, as a revision to the Delaware State Implementation Plan, the 15 Percent Rate of Progress Plan for the Delaware portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment, namely Kent and New Castle Counties, submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on February 17, 1995.

(b)(1) EPA approves revisions to the Delaware State Implementation Plan consisting of the Post 1996 ROP plans for milestone years 1999, 2002, and 2005 for the Delaware portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area, namely Kent and New Castle Counties. These revisions were submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on December 29, 1997, and revised on June 17, 1999, February 3, 2000, and December 20, 2000.

(2) EPA approves Delaware's contingency plans for failure to meet ROP in the Delaware portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area, namely Kent and New Castle Counties, for milestone years 1999, 2002 and 2005. These revisions were submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on December 29, 1997, June 17, 1999, February 3, 2000, and December 20, 2000.

(c) EPA approves the attainment demonstration SIP for the Philadelphia-Wilmington-Trenton area submitted by the Secretary of the Delaware Department of Natural Resources and Environmental Control on May 22, 1998, and amended October 8, 1998, January 24, 2000, December 20, 2000, and October 9, 2001 including its RACM analysis and determination. EPA is approving the enforceable commitments made to the attainment plan for the Philadelphia-Wilmington-Trenton severe ozone nonattainment area submitted by the Secretary of Delaware Department of Natural Resources and Environmental Control on January 24, 2000 and December 20, 2000. The enforceable commitments are to:

(1) Submit measures by October 31, 2001 for additional emission reductions as required in the attainment demonstration test, and to revise the SIP and motor vehicle emissions budgets by October 31, 2001 if the additional measures affect the motor vehicle emissions inventory,

(2) [Reserved]

(3) Perform a mid-course review by December 31, 2003.

(d) EPA is approving the following mobile budgets, explicitly quantified as sub-budgets for each of Kent and New Castle Counties, of the Post 1996 ROP Plans and the 1-Hour Ozone Attainment Demonstration Plan:

TRANSPORTATION CONFORMITY EMISSION BUDGETS FOR THE DELAWARE PORTION OF THE PHILADELPHIA AREA

| Type of control strategy SIP | Year | Kent County |                 | New Castle County |                 | Effective date of adequacy determination or SIP approval   |
|------------------------------|------|-------------|-----------------|-------------------|-----------------|--|
|                              |      | VOC         | NO <sub>x</sub> | VOC               | NO <sub>x</sub> |  |
| Post-1996 ROP Plan .....     | 1999 | 7.55        | 11.17           | 22.49             | 29.41           | April 29, 1999, (64 FR 31217, published June 10, 1999).<br>June 23, 2000, (65 FR 36440, published June 8, 2000). |
| Post-1996 ROP Plan .....     | 2002 | 6.30        | 9.81            | 18.44             | 27.29           |  |

**Environmental Protection Agency**

**§ 52.432**

**TRANSPORTATION CONFORMITY EMISSION BUDGETS FOR THE DELAWARE PORTION OF THE PHILADELPHIA AREA—Continued**

| Type of control strategy SIP   | Year | Kent County |                 | New Castle County |                 | Effective date of adequacy determination or SIP approval   |
|--------------------------------|------|-------------|-----------------|-------------------|-----------------|--|
|                                |      | VOC         | NO <sub>x</sub> | VOC               | NO <sub>x</sub> |  |
| Post-1996 ROP Plan .....       | 2005 | 4.84        | 7.90            | 14.76             | 22.92           | May 2, 2001, (66 FR 19769, published April 17, 2001). SIP approval on December 5, 2003; Effective on February 3, 2004. |
| Attainment Demonstration ..... | 2005 | 5.14        | 8.42            | 15.08             | 21.28           |  |

**§ (1)–(2) [Reserved]**

(e) EPA approves Delaware’s revised 2005 VOC and NO<sub>x</sub> motor vehicle emission budgets for the 1-hour ozone attainment plan for the Delaware portion of the Philadelphia-Wilmington-Trenton severe ozone nonattainment area as a SIP revision. The revisions were submitted by the Delaware Department of Natural Resources and Environmental Control on September 2, 2003. Submittal of these revised MOBILE6-based motor vehicle emissions budgets was a requirement of EPA’s approval of the attainment demonstration under paragraph (c) of this section.

[64 FR 55141, Oct. 12, 1999, as amended at 66 FR 54614, Oct. 29, 2001; 68 FR 67952, Dec. 5, 2003]

**§§ 52.427–52.429 [Reserved]**

**§ 52.430 Photochemical Assessment Monitoring Stations (PAMS) Program.**

On March 24, 1994 the Delaware Department of Natural Resources & Environmental Control submitted a plan for the establishment and implementation of a Photochemical Assessment Monitoring Stations (PAMS) Program as a

state implementation plan (SIP) revision, as required by section 182(c)(1) of the Clean Air Act. EPA approved the Photochemical Assessment Monitoring Stations (PAMS) Program on September 11, 1995 and made it part of the Delaware SIP. As with all components of the SIP, Delaware must implement the program as submitted and approved by EPA.

[60 FR 47084, Sept. 11, 1995]

**§ 52.431 [Reserved]**

**§ 52.432 Significant deterioration of air quality.**

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21(l)(2) and (p) are hereby incorporated and made a part of the applicable State plan for the State of Delaware.

(c) Pursuant to 40 CFR 52.21(u) full delegation of authority for all portions