

## **Connecticut; One-Hour Ozone Attainment Demonstration and Attainment Date Extension for the New York - Northern New Jersey - Long Island Area, Ozone Nonattainment Area**

### **Federal Register Dates:**

August 10, 2001	Notice of Proposed Rulemaking, 66 FR 42172
December 11, 2001	Final Rulemaking, 66 FR 63921
February 4, 2004	Final Rule 69 FR 5286 (Re-calculated MOBILE6 motor vehicle emission budgets for attainment Year 2007)

**EPA Approval Date:** The final rule approving the one-hour ozone attainment demonstration, attainment date extension until November 15, 2007 and the motor vehicle emissions budgets was effective on February 2, 2001.

### **State Submittal:**

On September 16, 1998 Connecticut Department of Environmental Protection submitted the attainment demonstration state implementation plan for the Greater Connecticut one-hour serious ozone nonattainment area. The SIP revision was subject to public notice and comment by the State and a hearing was held in May 1998. Connecticut also requested an attainment date extension for this area in its September 1998 submittal. The State requested a new attainment date of November 15, 2007. On February 8, 2000, Connecticut DEP submitted an addendum to the ozone attainment demonstration for the Greater Connecticut nonattainment area. The addendum was submitted in response to requirements EPA articulated as necessary for full approval in its proposed rulemaking on the September 16, 1998 attainment demonstration SIP.

### **Background/Prior Action:**

On February 22, 2000 (65 FR 8703), EPA published a notice of availability on guidance memoranda relating to the ten one-hour ozone attainment demonstrations (including Greater Connecticut) proposed for approval or conditionally approval on December 16, 1999. The guidance memoranda are entitled: "Guidance on Motor Vehicle Emissions Budgets in One-Hour Ozone Attainment Demonstrations," dated November 3, 1999, and "Guidance on the Reasonably Available Control Measures (RACM) Requirement and Attainment Demonstration Submissions for Ozone Nonattainment Areas," dated November 30, 1999.

On June 16, 2000 (65 FR 37778), EPA notified the public that we had found the 2007 VOC and NOx motor vehicle emission budgets submitted by Connecticut on February 8, 2000 adequate for conformity purposes. A public comment period was held on these budgets which began on February 14, 2000, and closed on March 20, 2000. No public comments were received by EPA during the public comment period offered by EPA on the specific transportation conformity budgets submitted by Connecticut DEP on February 8, 2000. EPA did, however, receive comments that opposed EPA determining budgets submitted by Connecticut adequate for transportation conformity purposes when we originally proposed approval of the Greater Connecticut attainment demonstration on December 16, 1999. EPA responded to all of those comments before determining the 2007 budgets adequate.

On July 28, 2000 (65 FR 46383), a notice of supplemental proposed rulemaking was

published relating to the ten one-hour ozone attainment demonstrations (including Greater Connecticut) proposed for approval or conditional approval on December 16, 1999. In the supplemental notice, EPA clarified and expanded on two issues relating to the motor vehicle emissions budgets in the attainment demonstration SIPs. In addition, EPA reopened the comment period to take comment on those two issues and to allow comment on any additional materials that were placed in the dockets for the ten proposed actions close to or after the initial comment period closed on February 14, 2000.

On October 16, 2000 (65 FR 61134), another notice of supplemental proposed rulemaking was published to provide further support for the proposed attainment demonstration published on December 16, 1999 for the four serious ozone nonattainment areas (which includes Greater Connecticut). In this supplemental notice, EPA made available an analysis it had performed to evaluate emission levels of oxides of nitrogen (NO<sub>x</sub>) and volatile organic compounds (VOC) and their relationships to the application of current and anticipated control measures expected to be implemented in four serious one-hour ozone nonattainment areas. This analysis was done to determine if additional reasonably available control measures (RACM) are available after adoption of Clean Air Act (CAA) required measures in the four serious ozone nonattainment areas (i.e., Greater Connecticut; Western, Massachusetts; Washington, D.C.; and Atlanta, Georgia). As explained in the supplemental notice, EPA performed this analysis in response to comments that were submitted on the proposals on these areas' one-hour ozone attainment demonstrations. Originally, EPA established a comment period for this supplemental proposal ending on October 31, 2000. A notice extending the comment period on the October 16, 2000 notice was published on November 2, 2000 (65 FR 65818). Due to a typographical error in the November 2, 2000 notice an additional notice clarifying the close of the comment period was published on November 9, 2000 (65 FR 67319).

### **Summary:**

EPA approved by final rule, the State of Connecticut's groundlevel one-hour ozone attainment demonstration SIP for the Connecticut portion of the New York – Northern New Jersey – Long Island ozone nonattainment area. EPA also approved the attainment date extension for this area until November 15, 2007. This rulemaking also approved the 2007 volatile organic compound and nitrogen oxide motor vehicle emissions budgets for the Connecticut portion of the New York – Northern New Jersey – Long Island severe ozone nonattainment area for use in transportation conformity.

### **Transportation Conformity Budgets:**

On June 16, 2000 (65 FR 37778), EPA notified the public that we had found the 2007 VOC and NO<sub>x</sub> motor vehicle emission budgets submitted by Connecticut on February 8, 2000 adequate for conformity purposes. These budgets became effective on July 3, 2000. In our final rulemaking action, EPA approved the year 2007 motor vehicle emission budgets of 30.0 tons/day volatile organic compounds (VOC), and 79.6 tons/day of nitrogen oxides (NO<sub>x</sub>).

Connecticut committed in its February 8, 2000 addendum to the attainment demonstration to revise their VOC and NO<sub>x</sub> transportation conformity budgets within one year of the release of MOBILE6.

On June 17, 2003 CT DEP submitted 2005 and 2007 motor vehicle emission budgets recalculated with MOBILE6.2. EPA approved these MOBILE6.2 budgets into the Connecticut

SIP on February 4, 2004 (69 FR 5286). As a result, all new and revised Transportation Plans and Transportation Improvement Programs that require a conformity determination must conform to the 1999 budgets of 20.5 tons/day volatile organic compounds (VOC), and 39.4 tons/day of nitrogen oxides (NO<sub>x</sub>) for conformity analysis years prior to 2002; conform to 2002 budgets of 15.2 tons/day volatile organic compounds (VOC), and 38.4 tons/day of nitrogen oxides (NO<sub>x</sub>) for conformity analysis years 2002 up to 2005; conform to MOBILE6.2 2005 budgets of 19.5 tons/day volatile organic compounds (VOC), and 36.8 tons/day of nitrogen oxides (NO<sub>x</sub>) for conformity analysis years 2005 up to 2007; and, conform to MOBILE6.2 2007 budgets of 16.4 tons/day volatile organic compounds (VOC), and 29.7 tons/day of nitrogen oxides (NO<sub>x</sub>) for conformity analysis years 2007 and later.

**Identification by rule name and/or number/citation of the regulations that have been approved by EPA as part of the SIP Plan:**

No new state regulations were approved into the Connecticut State Implementation Plan in association with its ozone attainment demonstration for New York – Northern New Jersey – Long Island area.

The New York – Northern New Jersey – Long Island Attainment Demonstration relied on a number of existing Connecticut control programs and existing and proposed Federal control programs/strategies including the following:

- On-board Refueling Vapor Recovery
- Federal Motor Vehicle Control program
- Federal Non-road Gasoline Engines
- Federal Non-road Heavy Duty diesel engines
- AIM Surface Coatings
- Consumer & commercial products
- Enhanced Inspection & Maintenance
- NO<sub>x</sub> RACT
- VOC RACT pursuant to sections 182(a)(2)(A) and 182(b)(2)(B) of Clean Air Act.
- VOC RACT pursuant to sections 182(b)(2)(A) and (C) of Clean Air Act.
- Stage II Vapor Recovery
- Stage I Vapor Recovery
- Reformulated Gasoline
- National Low Emission Vehicle (NLEV)
- Clean Fuel Fleets
- 15% VOC Reduction Plan
- Enhanced Rule Effectiveness
- 9% rate of progress plans
- OTC NO<sub>x</sub> MOU Phase II
- EPA NO<sub>x</sub> SIP call
- Municipal Waste Combustor rule
- Regional or Local Control Measures

**Other Commitments:**

Connecticut committed in its February 8, 2000 addendum to the attainment demonstration to revise their VOC and NO<sub>x</sub> transportation conformity budgets within one year of the release of MOBILE6.

Connecticut committed to conduct a mid-course review to assess modeling and monitoring progress achieved towards the goal of attainment by 2007, and submit the results to EPA by December 31, 2004.

Connecticut committed to adopt and submit: (1) additional restrictions on VOC emissions from mobile equipment and repair operations; and (2) requirements to reduce VOC emissions from certain consumer products.

Connecticut committed to adopt and submit by October 31, 2001, additional necessary regional control measures to offset the emission reduction shortfall in order to attain the one-hour ozone standard by November 2007.

Connecticut committed to adopt and submit by October 31, 2001, additional necessary intrastate control measures to offset the emission reduction shortfall in order to attain the one-hour ozone standard by November 2007.

**EPA Region 1 Contact:** Richard P. Burkhart, (617) 918-1664  
Donald O. Cooke, (617) 918-1668.