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Clean Air Act/NAAQS: U.S. Environmental Protection Agency Finalizes Redesignation of Crittenden County, Arkansas As Compliant With 8-Hour Ozone Standard

Arkansas Environmental, Energy, and Water Law Blog

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The United States Environmental Protection Agency ("EPA") issued an April 25th Federal Register Notice finalizing a rule that redesignated Crittenden County, Arkansas as compliant with the Clean Air Act 8-hour ozone National Ambient Air Quality Standard ("NAAQS"). See 81 Fed. Reg. 24030.

Crittenden County had previously been designated nonattainment for this NAAQS.

Crittenden County is within the Memphis, Tennessee-Mississippi-Arkansas air quality control region or "Area."

EPA had proposed the redesignation in a February 10th Federal Register Notice.

EPA is finalizing additional actions which include approving and incorporating the maintenance plan (including what is referenced as a "Clarification Letter") for the Area, including the NOx and VOC motor vehicle emission budgets for 2012 and 2027 into the Arkansas State Implementation Plan.

The federal agency states the maintenance plan demonstrates that the Area will continue to maintain the 2008 8-hour NAAQS through 2027 and the budgets meet all of the adequacy criteria contained in 40 C.F.R. 93.118(e)(4)(5).

EPA is also finalizing a determination that Arkansas has met the criteria under Clean Air Act Section 107(d)(3)(E) for the Area for redesignation from nonattainment to attainment for the 2008 8-hour ozone NAAQS. As a result, EPA states that it is approving Arkansas' redesignation request for the 2008 8-hour ozone NAAQS for the Arkansas portion of the Area.

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