

Appendix 9

Legal Review by States

Purpose:

The purpose of the legal review by each State, prior to submitting a SIP revision, is to assure that the State has met both state and federal legal requirements. Depending on circumstances, EPA may request an Attorney General's opinion that the SIP meets the identified legal requirements.

Guideline:

The legal review should consist of a determination:

- That both the State and Federal administrative procedures were followed;
- That the Agency implementing the revision has the legal authority to implement the requirements;
- For rules or measures that are locally adopted and implemented that the State has the authority, should the local agency fail, to implement the rule or measure;
- That each measure is enforceable, and that:
 - * source applicability is clearly described;
 - * emissions limitations and work practice requirements are clearly described;
 - * appropriate test methods are clearly set out; and
 - * record keeping and reporting requirements are clearly described