STATE OF MONTANA AIR QUALITY CONTROL IMPLEMENTATION PLAN	Subject: Yellowstone County Air Pollution Control Program

56.12 BILLINGS CARBON MONOXIDE LIMITED MAINTENANCE PLAN

56.12.1 List of Acronyms and Abbreviations

ADT	Average Daily Traffic
AIRS	Aerometric Information Retrieval System
ARM	Administrative Rules of Montana
BACT	Best Available Control Technology
BER	Board of Environmental Review
CAAA	Clean Air Act Amendments
CFR	Code of Federal Regulations
CO	Carbon Monoxide
DEQ	Montana Department of Environmental Quality
EI	Emission Inventory
EPA	United States Environmental Protection Agency
FHWA	Federal Highway Administration
FMVECP	Federal Motor Vehicle Emission Control Program
FR	Federal Register
kg	Kilogram
km^2	Kilometers squared
LMP	Limited Maintenance Plan
MCA	Montana Code Annotated
MNR	Montana Network Review
NAAQS	National Ambient Air Quality Standard
NSR	New Source Review
ppm	parts per million
PSD	Prevention of Significant Deterioration
QAPP	Quality Assurance Project Plan
QA/QC	Quality Assurance/Quality Control
RACM	Reasonably Available Control Measures
SIP	State Implementation Plan
SLAMS	State and Local Air Monitoring Station
TAC	Technical Advisory Committee
TCM	Transportation Control Measures

TIP	Transportation Improvement Program
VKT	Vehicle Kilometers Traveled
YCAPC	Yellowstone County Air Pollution Control program

56.12.2 Introduction

Billings was designated nonattainment by the Environmental Protection Agency (EPA) for carbon monoxide (CO) in a Federal Register (FR) notice on March 3, 1978 (43 FR 9010) as a result of the 1977 Clean Air Act Amendments (CAAA). The National Ambient Air Quality Standard (NAAQS) for CO is 9.0 parts per million (ppm) for an 8-hour average concentration, not to be exceeded more than once per calendar year. Control plans were developed to bring Billings back into compliance following the nonattainment designation. The CO violation was attributed primarily to motor vehicle emissions. The initial CO control plan concentrated on an intersection reconstruction at Exposition and First Avenue. The final CO control plan incorporated computer modeling with the intersection reconstruction, and was approved in the Federal Register on January 16, 1986 (51 FR 2397). Billings was reevaluated in September 1990, based on the 1990 CAAA and the lack of exceedances in the CO monitoring data for 1988 and 1989. In a November 6, 1991 Federal Register notice (56 FR 56799), Billings was listed as a "not classified" nonattainment area for CO. However, redesignation requires a new emission inventory and development of a maintenance plan.

The Montana Department of Environmental Quality (DEQ) developed this redesignation request with guidance from the 1990 CAAA and a September 4, 1992 EPA memo from John Calcagni to the EPA Regional Air Directors. Section 107(d)(3)(E) of the CAAA defines the five required criteria of a redesignation request. The criteria are as follows:

Criterion 1: *Attainment of the Applicable National Ambient Air Quality Standard*
Criterion 2: *State Implementation Plan Approval*
Criterion 3: *Permanent and Enforceable Improvements in Air Quality*
Criterion 4: *Fulfillment of CAAA Section 110 and Part D Requirements*
Criterion 5: *Fully Approved Maintenance Plan under CAAA Section 175A*

Each of these criteria has been accomplished and are demonstrated in this CO redesignation

request. The following pages address each of the five redesignation criteria.

Criterion 5 is addressed based on Billings' fulfillment of criterion addressed in the October 6, 1995 EPA memo from Joseph Paisie, Group Leader for Integrated Policy and Strategies Group. That memo stated nonclassifiable CO nonattainment areas fulfilling specific criterion could choose to seek redesignation under a less rigorous plan than the full maintenance plan (limited maintenance plan or LMP). Billings currently meets the criterion as outlined in the Paisie memo by having a CO design value at or below 7.65 ppm (85 percent of exceedance levels).

56.12.3 Criterion 1: Attainment of the Applicable National Ambient Air Quality Standard

A. Ambient Air Quality Data

Ambient CO data was collected at the State and Local Air Monitoring Station (SLAMS) sites located at the Bridal Shop at 8 Grand Avenue (30-111-0082) and Norwest Bank at 130 North 27th Street (30-111-0081). Data was collected and quality assured in accordance with 40 CFR Part 58 and recorded in the Aerometric Information Retrieval System (AIRS). EPA has approved these SLAMS sites and the data collected. These sites, particularly the Bridal Shop site due to its proximity to the high traffic area on Grand Avenue, are considered to be representative of the areas of highest CO concentration in Billings.

The CO quick looks report for the two monitoring sites is on the following page, Table 56.12.3A, and contains all of the data for 1997, 1998, and 1999. Data from 1997 is included since 1999 data was incomplete for the Norwest Bank site. The maintenance demonstration discussed in the maintenance plan section relies on the most recent eight quarters worth of data. No CO NAAQS violations have been recorded for 1997, 1998, or 1999. Both demonstrations (the quick looks reports and the maintenance demonstration) indicate that the CO NAAQS has been attained.

B. Supplemental EPA-Approved Air Quality Modeling

Supplemental air quality modeling will not be addressed in this redesignation request since the Billings area qualifies for the LMP as described in the October 6, 1995 Paisie memo.

Table 56.12.3A EPA AIRS Quick Look Report of CO Emissions in Billings, Montana (for 1997, 1998, and 1999)

DATE 00/02/01 EPA AEROMETRIC INFORMATION RETRIEVAL SYSTEM (AIRS) PAGE 1
AMP450 AIR QUALITY SUBSYSTEM
QUICK LOOK REPORT
CARBON MONOXIDE (42101) MONTANA UNITS: 007 PPM

SITE ID	P O C	M T	CITY	COUNTY	ADDRESS	YR	REP ORG	#OBS	MAX 1-HR 1ST	MAX 1-HR 2ND	OBS> 35	MAX 8-HR 1ST	MAX 8-HR 2ND	OBS> 9	METH
30-111-0081	1	2	BILLINGS	YELLOWSTONE	NORWEST, 130 NORTH 27TH	97	002	8476	9.2	8.6	0	5.2	4.9	0	000
30-111-0081	1	2	BILLINGS	YELLOWSTONE	NORWEST, 130 NORTH 27TH	98	002	8690	13.3	12.8	0	5.9	4.8	0	093
30-111-0081	1	2	BILLINGS	YELLOWSTONE	NORWEST, 130 NORTH 27TH	99	002	5079	10.0	6.7	0	3.4	3.4	0	093
30-111-0082	1	3	BILLINGS	YELLOWSTONE	BLGS BRIDAL SHOP 8 GRAND	97	002	489	7.5	5.8	0	3.9	3.5	0	093
30-111-0082	1	3	BILLINGS	YELLOWSTONE	BLGS BRIDAL SHOP 8 GRAND	98	002	8339	9.7	9.1	0	6.9	5.4	0	093
30-111-0082	1	3	BILLINGS	YELLOWSTONE	BLGS BRIDAL SHOP 8 GRAND	99	002	8094	8.5	8.4	0	6.0	5.8	0	093

56.12.4 Criterion 2: State Implementation Plan Approval

A. History

The Billings CO control plan was approved into the Montana State Implementation Plan (SIP) on January 16, 1986 (51 FR 2397). The CO control plan was based on traffic flow improvements and projected automobile emission reductions based on the Federal Motor Vehicle Emission Control Program (FMVECP). The anticipated date of attainment was December 31, 1985. No violations were documented in calendar years 1981 through 1985, confirming attainment within that time period. The EPA approval also removed the potential of a construction ban over the Billings CO nonattainment area.

B. 1990 Clean Air Act Amendments

For CO areas, the CAAA classified areas according to recent monitored levels of CO; the Billings CO nonattainment area fell below the lowest CAAA threshold for "moderate" areas and was classified as a "not classified" area on November 6, 1991 (56 FR 56799). Because of this "not classified" designation, most of the CAAA requirements for CO nonattainment area maintenance plans do not apply.

56.12.5 Criterion 3: Permanent and Enforceable Improvements in Air Quality

A. Overview

The State must demonstrate, based on Section 107(d)(3)(E) of the 1990 CAAA, that the improvement in air quality leading to attainment of the NAAQS and the redesignation request is based on permanent and enforceable measures, and that the reductions are not the result of temporary reductions in emissions or unusually favorable meteorology.

It is reasonable to attribute the improvement in ambient CO concentrations in the Billings CO nonattainment area to emission reductions that are permanent and enforceable. The emission reductions are the result of implemented federal, state, and local controls.

Economics are not responsible for improved ambient air quality levels in the Billings area. It can be assumed that population, employment, and traffic growth would increase CO emissions and the potential for elevated CO concentrations. As mentioned in the 1996 Billings CO emission inventory (EI), the Montana Department of Commerce estimated the population growth in Yellowstone County to be 11.1 percent between 1990 and 1996. If proportional growth rates were used for employment and traffic counts or vehicle kilometers traveled (VKT), overall growth in Yellowstone County would indicate higher not lower CO concentrations.

Favorable meteorology does not appear to be responsible for the improvement in CO levels. From 1990 to 1999, based on data found in the AIRS database, CO design values for the Billings area ranged between 3.5 and 7.1 ppm, with no apparent trends. Billings temperature data for November, December, and January were examined for the 1990-98 time period (1999 data was not used since it was only available for January at the time of comparison). The average monthly temperatures for the time period studied was not significantly different (at a 95 percent confidence level) than the 64-year average monthly temperatures from the National Weather Service station in Billings. For November and December, the 1990-98 average temperatures were actually lower than the 64-year average. Lower temperatures generally result in higher CO emissions from automobiles. Therefore, DEQ concluded that weather was not responsible for reaching CO attainment levels in the Billings area.

B. Control Measures

The State concludes that the following permanent and enforceable control measures have resulted in the improvement in air quality in the Billings area. These measures will remain in place for the duration of the initial maintenance period (through 2012) to ensure continued maintenance of the CO NAAQS in the Billings area.

i. Federal Motor Vehicle Emission Control Program

A very effective CO emission reduction measure has been the Federal Motor Vehicle Emission Control Program (FMVECP). This program has dramatically reduced CO emissions through a continuing process of requiring automobile manufacturers to produce new vehicles that meet tighter and tighter emission standards. As older, more polluting vehicles are replaced with newer vehicles, CO emissions in the Billings area will continue to decline.

To quantify this reduction, the 1990 Billings CO EI study area was used to encompass the community as a whole. The 1996 Billings CO EI study area included all of the 333 1-km^2 grids contained in the 1990 study area, along with an additional 212 1-km^2 grids. For comparison purposes, the 333 1-km^2 grids that the two studies had in common were used. Although area population and VKT both increased by approximately 12 percent between 1990 and 1996, the resulting CO emissions decreased by approximately 19 percent. Since the primary control measure was fleet turn-over, this decrease can be attributed to the FMVECP. See Table 56.12.5A below.

Table 56.12.5A Key Demographic, VKT, and CO Emissions Data and Percentage Change From 1990 to 1996 in Billings, Montana

	1990	1996	Percent change
Population [a]			
-Billings City Limits	81,125	91,195	12.41
-Yellowstone County	113,419	125,966	11.06
Billings 1990 EI Study Area [b]			
-VKT/CO day	3,231,350 [c]	3,634,814	12.49
-kg CO/CO day [d]	160,932	131,101	-18.54

[a] Population values based on the 1990 U.S. Census and growth rates developed by the Montana Department of Commerce.

[b] The 1990 Billings CO EI study area consisted of 333 1-km^2 grids, covering the Billings area as well as nearby communities Laurel and Huntley. The 1996 Billings CO EI study area was much larger (547 1-km^2 grids). Therefore, the 333 1-km2 grids that the two EIs had in common were compared for overall CO emissions and VKT.

[c] This value was recalculated using population growth and traffic count data after the 1990 Billings CO EI VKT estimate was deemed unreliable.

[d] These values were calculated using Mobile5a for both the 1990 and 1996 estimates. The 1990 estimate was recalculated using the same vehicle speeds, temperatures, and Reid vapor pressures as were used in the 1996 Billings CO EI after errors were found in the basis and calculations of the 1990 Billings CO EI.

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ii. Changes in Transportation Infrastructure

The first Billings CO control plan, approved by EPA on January 16, 1986 (51 FR 2397), concentrated on an intersection reconstruction, Exposition Drive and First Avenue North, near where CO violations had occurred. The project included widening Exposition Drive from four lanes to six, widening the approach of First Avenue North to the intersection with Exposition Drive, and improving signalization to increase traffic flow and speed. The project was to be completed in late 1980. Although a reduction in emissions cannot be calculated due to lack of data, it was anticipated that the area would be brought below the CO NAAQS by 1985.

An exceedance (not a violation) was reported in 1983, but no violations have been recorded since that time. The project seems to have had the desired effect of improving air quality in that area.

iii. Open Burning Permits

Yellowstone County, as a part of their air pollution control plan, developed regulations governing open burning including requiring permits. The Open Burning Regulation is listed as Regulation Number 002 in the Yellowstone County Air Pollution Control (YCAPC) program. The Montana Board of Health and Environmental Sciences (now the Board of Environmental Review or BER) adopted the original YCAPC program on January 10, 1970. The BER adopted the most recent amendments to that program on September 24, 1999 and the state is waiting for EPA approval.

Open burning may not be a major contributor to CO levels in the Billings area on the average, but can be responsible for elevated levels during certain times of the year. This regulation allows YCAPC to require the use of Best Available Control Technology (BACT) on some permits to limit emissions through a variety of methods including prioritizing burns as to air quality impact and assigning control techniques accordingly. The regulations also dictate the times of the year to which open burning is limited. A percent reduction would be difficult to quantify, however, having open burning regulations will reduce the air quality impacts.

56.12.6 Criterion 4: Fulfillment of CAAA Section 110 and Part D Requirements

For the purposes of redesignation, all of the general nonattainment area requirements of CAAA Section 110 and Part D must be fulfilled.

A. CAAA Section 110

Section 110 of the CAA was amended in 1990. However, most of the basic requirements remained the same. Over the years, the State has submitted and EPA has approved SIP revisions containing provisions that meet the requirements of Section 110 (a)(2) of the CAA. In particular, EPA has approved nonattainment NSR, PSD, and minor source permitting programs that meet the requirements of Section 110(a)(2)(C). Specifically Administrative Rules of Montana (ARM), Title 17, Chapter 8, subchapters 8, 9, and 10 for the New Source Review (NSR) and prevention of significant deterioration (PSD) program as first approved by EPA on September 23, 1980 and May 5, 1983, respectively, as published in the Federal Register at 45 FR 62982 and 48 FR 20231, respectively. The permitting of minor sources is outlined in ARM Title 17, chapter 8, subchapter 7. These rules are currently in the State's SIP as periodically approved and amended.

The State has an approved ambient monitoring program that meets the requirements of section 110(a)(2)(B). Specifically, ARM 17.8.204 and 17.8.206 regarding the Montana Quality Assurance Project Plan (QAPP) for ambient air quality monitoring was approved by EPA on December 21, 1993 as published in the Federal Register at 58 FR 67324.

B. CAAA Part D

Before the Billings 'Not Classified' CO nonattainment area may be redesignated to attainment, the State must have fulfilled the applicable requirements of part D. Under part D, an area's classification indicates the requirements to which it will be subject. Subpart 1 of part D sets forth the basic nonattainment requirements applicable to all nonattainment areas, whether classified or nonclassifiable.

The relevant Subpart 1 requirements are contained in sections 172(c) and 176 of the CAA. EPA's General Preamble (57 FR 13498, April 16, 1992) provides EPA's interpretations of the CAA requirements for not classified CO areas:

> *Although it seems clear that the CO-specific requirements of subpart 3 of part D do not apply to CO "not classified" areas, the 1990 CAAA are silent as to how the requirements of subpart 1 of part D, which contains general SIP planning requirements for all designated nonattainment areas, should be interpreted for such CO areas. Nevertheless, because these areas are designated nonattainment, some aspects of subpart 1 necessarily apply*. See 57 FR 13535.

Under section 172(b), the applicable section 172(c) requirements, as determined by the Administrator, were due no later than three years after an area was designated as nonattainment under section 107(d) of the amended CAA (see 56 FR 56694). In the case of the Billings area, the due date was November 15, 1993. As the Billings CO redesignation request and maintenance plan were not submitted by the Governor until after this date, EPA's General Preamble (57 FR 13535) provides that the applicable requirements of CAA section 172 are 172(c)(3) (emissions inventory), 172(c)(5)(new source review permitting program), and 172(c)(7)(the section 110(a)(2) air quality monitoring requirements)). The maintenance plan needs to describe that these requirements have been met.

EPA has determined that Part D requirements for Reasonably Available Control Measures (RACM), an attainment demonstration, reasonable further progress (RFP), and contingency measures (CAA section 172(c)(9)) are not applicable to not classified CO areas. See 57 FR 13535, April 16, 1992. It is also worth noting that EPA has interpreted the requirements of

sections 172(c)(2) (reasonable further progress - RFP), 172(c)(6)(other measures), and 172(c)(9)(mandatory contingency measures) as being irrelevant to a redesignation request because they only have meaning for an area that is not attaining the standard. This is explained in the General Preamble, 57 FR at 13564, dated April 16, 1992. Finally, the State has not sought to exercise the options that would trigger sections 172(c)(4)(identification of certain emissions increases) and 172(c)(8)(equivalent techniques). Thus, these provisions are also not relevant to this redesignation request.

Section 176 of the CAA contains requirements related to conformity. Although EPA's regulations (see 40 CFR § 51.396) require that states adopt transportation conformity provisions in their SIPs for areas designated nonattainment or subject to an EPA-approved maintenance plan, EPA has decided that a transportation conformity SIP is not an applicable requirement for purposes of evaluating a redesignation request under section 107(d) of the CAA. This decision is reflected in EPA's 1996 approval of the Boston carbon monoxide redesignation. (See 61 FR 2918, January 30, 1996.)

56.12.7 Criterion 5: Fully Approved Maintenance Plan under CAAA Section 175A

According to CAAA Section 107(d)(3)(E), for an area to be redesignated to attainment, EPA must fully approve a maintenance plan that fulfills the requirements of CAAA Section 175A. The maintenance plan will constitute a SIP revision and must provide for the maintenance of the CO NAAQS in the area for at least ten years after redesignation. The LMP option, fulfilling the maintenance plan requirement for "not classified" nonattainment areas, includes the following core provisions:

Provision 1: *Attainment Inventory*
Provision 2: *Maintenance Demonstration*
Provision 3: *Monitoring Network/Verification of Continued Attainment*
Provision 4: *Contingency Plan*
Provision 5: *Conformity Determinations under Limited Maintenance Plans*

All of the provisions have been completed and are demonstrated in this CO redesignation request. The following pages address each of the five core provisions.

56.12.7.1 Provision 1: Attainment Inventory

A 1996 emission inventory was submitted to EPA on April 12, 1999 to provide an attainment inventory for the Billings CO redesignation request. The CO emissions in the emission inventory were calculated to represent a standard CO season day, a "typical winter day" in a typical CO season for base year 1996 (January 1 to December 31). The CO season encompassed January, November, and December 1996. A weekday within the CO season was selected since the highest average daily traffic (ADT) generally occurred during the work week period. The study area, as mapped in Figure 56.12.7.1A, included 547 one-kilometer squared (km^2) grids encompassing the Billings CO nonattainment area and surrounding region including the communities of Huntley and Laurel.

The total estimated amount of CO in the 1996 Billings CO emission inventory study area on a standard CO season weekday was 144,646 kilograms (kg). Thirty area sources and one general point source category that was composed of seven individual industries were identified as significant CO emitters. These sources were reduced to seven broad categories: aviation exhaust (2,444.02 kg/day), commercial and residential natural gas use (374.66 kg/day), industrial point processes (3,656.6 kg/day), nonroad motor exhaust (6,669.0 kg/day) railroad locomotive exhaust (235.47 kg/day), residential wood burning (12,204.34 kg/day), and roadway motor vehicle exhaust (119,061.84 kg/day). Motor vehicle tailpipe exhaust contributed 82.31 percent of all estimated CO emissions. Minor contributing source categories and their corresponding daily percentage of contribution were residential wood burning devices (8.44 percent), nonroad motor exhaust (4.61 percent), seven combined industrial point sources (2.53 percent), and aviation exhaust (1.69 percent). Commercial and residential natural gas consumption and railroad locomotive exhaust produced less than one percent of the estimated daily CO emissions in the 1996 Billings CO emission inventory study area. Source contributions are displayed graphically in Figure 56.12.7.1B.

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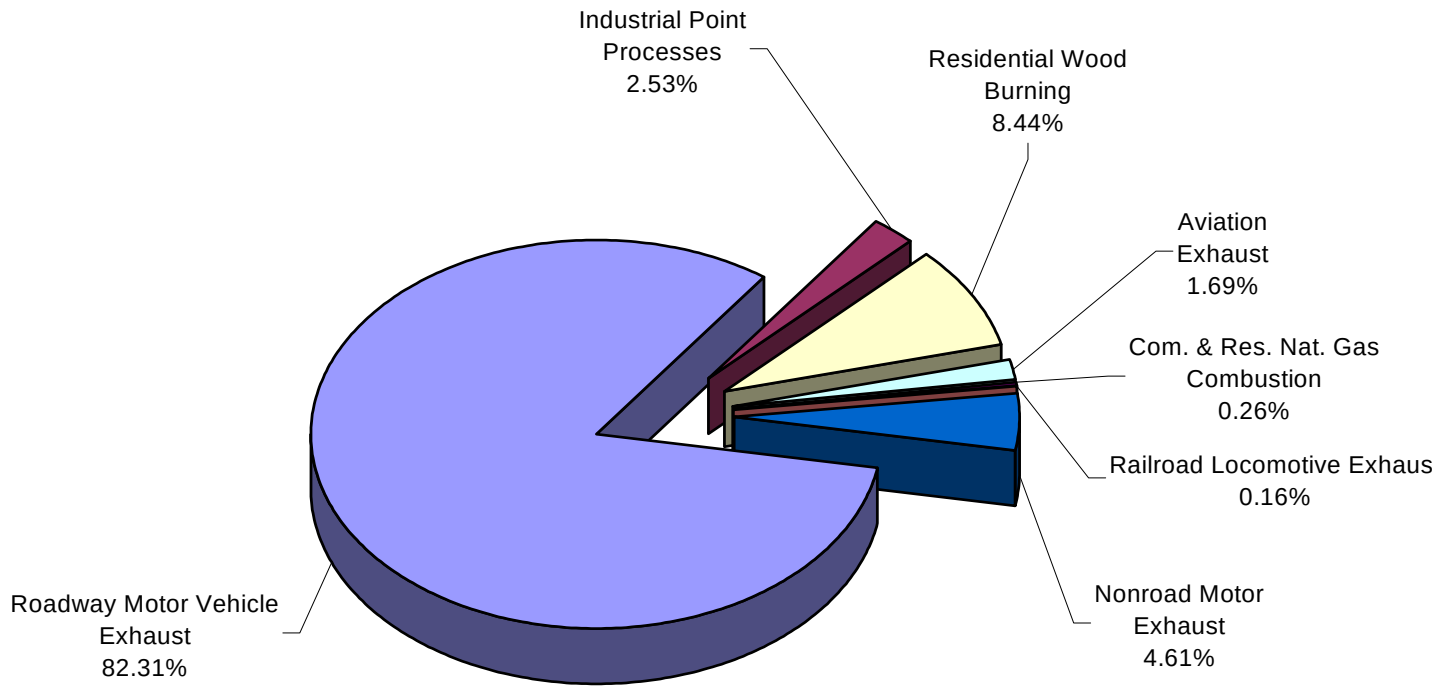

Figure 56.12.7.1B Total Daily Carbon Monoxide Emissions and Percentage Contributions by Source Category in the 1996 Billings CO Emission Inventory Study Area

56.12.7.2 Provision 2: Maintenance Demonstration

An October 6, 1995 EPA memo from Joseph Paisie, Group Leader for Integrated Policy and Strategies Group stated nonclassifiable CO nonattainment areas fulfilling specific criterion could choose to seek redesignation under a less rigorous plan than the full maintenance plan. The criterion is having CO design values at or below 7.65 ppm (85 percent of exceedance levels) at the time of redesignation request. To qualify for the limited maintenance plan option, the CO design value for the area, based on the 8 consecutive quarters (2 years of data) used to demonstrate attainment, must be at or below 7.65 ppm (85 percent of exceedance levels of the NAAQS.) Additionally, the design value for the area must continue to be at or below 7.65 ppm until the time of final EPA action on the redesignation request.

Design values are determined based on a June 18, 1990 EPA memo from William Laxton, Director of the Technical Support Division. For 8-hour CO, determining the design value requires finding the maximum and second maximum 8-hour values for the most recent two years or eight quarters of data. The highest of the second maximum values (or the "highest of the second highs") is used as the design value for each CO monitoring site. If more than one monitoring site exists in the area, the highest site design value is used as the design value for the entire nonattainment area. Two CO monitoring locations in the Billings area have collected data for 1998 and 1999, the most recent eight quarters of data. Those locations are the Bridal Shop at 8 Grand Avenue and Norwest Bank at 130 North 27th Street. As seen in Table 56.12.7.2A, the design value is 5.8 ppm, well below the 9.0 ppm NAAQS standard and below the 7.65 ppm limit for LMP eligibility. Therefore, Billings meets the air quality criteria for the LMP.

Table 56.12.7.2A Design Value Determined Based on 1998 and 1999 Data (Data Obtained from EPA AIRS Database)

Year	Location	Site ID	Max 8-hour CO (ppm) 1st High	2nd High
1998	Bridal Shop	301110082421011	6.9	5.4
	Norwest Bank	301110081421011	5.9	4.8
1999	Bridal Shop	301110082421011	6.0	**5.8** (design value)
	Norwest Bank	301110081421011	3.4	3.4

56.12.7.3 Provision 3: Monitoring Network/Verification of Continued Attainment

CO compliance monitoring in the Billings area, including the Bridal Shop site (which has recorded the highest CO concentrations), will continue in accordance with the Montana Quality Assurance Project Plan (QAPP), the EPA Quality Assurance Manual (EPA-600/9-76-005, revised December 1984), 40 CFR Part 50 including Appendix C, and 40 CFR Part 58 including Appendices A through G. Accuracy data for the Billings CO sites and precision data for the Montana CO network will continue to be submitted to EPA on a regular basis through the federal Precision and Accuracy Reporting System.

DEQ and YCAPC intend to operate the Bridal Shop site on an indefinite basis. Any future changes in the CO monitoring will be addressed in the annual Montana Network Review (MNR) and an EPA network modification request form will be submitted to EPA for approval prior to making any changes. Emergency episode CO monitoring in Billings shall be conducted, if necessary, in accordance with Montana's Emergency Episode Avoidance Plan.

56.12.7.4 Provision 4: Contingency Plan

Section 175(A)(d) of the CAAA requires that the maintenance plan contain contingency provisions to assure that the State will promptly correct any violation of the CO NAAQS that occurs after the redesignation of Billings to attainment. EPA's redesignation guidance notes that the State is not required to have fully adopted contingency measures that would take effect without further action by the State. However, the contingency plan should ensure that contingency measures are adopted expeditiously once the need is triggered. The primary elements of the plan involve the tracking and triggering measures to determine when contingency measures are needed and a process for implementing appropriate control measures.

A. CO Concentration Tracking

Tracking CO for the Billings area will consist of monitoring and analyzing CO concentrations in that area. In accordance with 40 CFR Part 58, Montana will continue to operate and maintain the Billings monitoring network to demonstrate ongoing compliance with the CO NAAQS.

B. SIP-Mandated Trigger and Response

i. Trigger

The LMP will use one exceedance of the CO NAAQS as the trigger for adopting specific contingency measures. The adopted contingency measure(s) will be implemented only if a violation of the CO NAAQS occurs. Notification to EPA and to the local governments in the Billings area of any exceedance will occur within 60 days as part of the Quality Assurance/Quality Control (QA/QC) monitoring procedure.

ii. Response

Upon notification of a CO NAAQS exceedance, DEQ and YCAPC will recommend appropriate contingency measure(s) intended to avoid a violation of the CO NAAQS. Information on the historical exceedances of the standard, the meteorological conditions related to the recent exceedance(s), and the most recent estimates of population and VKT growth and emissions will be reviewed. The possibility of an exceptional or natural event will also be evaluated. Following the review of this information, the necessary contingency measure(s) will be proposed for local adoption. The local adoption process will be completed within three months of the exceedance notification. The contingency measures provide a maintenance area with an opportunity to maintain its status as an attainment area.

If and when a violation of the NAAQS occurs, the locally adopted contingency measure(s) will be fully implemented within one year. Section 175(A)(d) of the CAAA states:

> *The failure of any area redesignated as an attainment area to maintain the national air quality standard concerned shall not result in a requirement that the State revise its State implementation plan unless the Administrator, in the Administrator's discretion, requires the State to submit a revised State implementation plan.*

C. Possible Contingency Measures

YCAPC may choose one or more contingency measures to recommend to local officials and DEQ for consideration. YCAPC will select contingency measures designed to bring the area back into compliance with the CO NAAQS quickly and to specifically meet the needs of the Billings area. Some potential contingency measures include:

- implementing an oxygenated fuel program with local regulations in the Billings or Yellowstone County area for the winter months of November, December, and January (typically the months with the highest CO levels);
- implementing a high pollution day, episodic woodburning curtailment program; and/or
- other emission control measures appropriate for the area that are yet to be defined.

D. Maintenance Plan Requirements

Eight years after EPA redesignates the Billings area to attainment, the State commits to submit to EPA a revised maintenance plan that provides for maintenance of the CO NAAQS for an additional 10 years after the expiration of the initial maintenance period (through 2012) covered by this maintenance plan.

56.12.7.5 Provision 5: Conformity Determinations under Limited Maintenance Plans

Since the Billings area is a 'Not Classified' nonattainment CO area, only some of the general provisions of the CAA Part D apply. These include the "General" and "Transportation" conformity provisions of CAA Section 176(c). The conformity provisions ensure that federally funded or approved projects and actions conform to the air quality planning goals of the Billings CO control plan before they are constructed. For the purpose of the LMP for Billings, the conformity issues are slightly different than in a full maintenance plan and are explained below.

The transportation conformity rule of November 24, 1993 (58 FR 62188) and the general conformity rule of November 30, 1993 (58 FR 63214) apply to nonattainment areas and maintenance areas operating under maintenance plans. Under either rule, conformity can be demonstrated by indicating that the expected emissions from planned actions are consistent with the emissions budget for the area. In areas with LMPs, conformity determinations are still required, but a LMP has no emission budget because "emissions budgets in limited maintenance plan areas may be treated as essentially not constraining for the length of the initial maintenance period" ("Limited Maintenance Plan Option for Nonclassifiable CO Nonattainment Areas," memorandum from Joseph Paisie to the EPA Regional Air Branch Chiefs, October 6, 1995).

For general conformity, all projects are considered to satisfy the "budget test" specified in 40 CFR 93.158(a)(5)(i)(A) once EPA has approved this redesignation request. For transportation conformity, federal actions requiring conformity determinations are considered to satisfy the budget test specified in sections 93.118, 93.119 and 93.120 of the conformity rule once this LMP is found adequate by EPA. In Billings, federal actions are also considered to satisfy the transportation conformity rule's requirements for expeditious implementation of transportation control measures (TCMs), because there are no TCMs in the Billings SIP. Transportation plans, transportation improvement programs and Federal projects still require conformity determinations in order to proceed, and Federal projects are still subject to the hotspot modeling requirements of the transportation conformity rule.

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