

**Time Line for Maricopa County Nonattainment Area
State Implementation Plan (SIP) Actions under the Clean Air Act Amendments of 1990**

Date	Ozone		Particulate Matter (PM ₁₀)	Carbon Monoxide
	1-hour	8-hour		
11/15/90			The Phoenix Planning Area was designated as a moderate PM ₁₀ nonattainment area [40 CFR 81.303 (1978), as amended at 55 FR 45799; October 31, 1990].	Designated nonattainment for CO [40 CFR 81.303].
2/28/91				EPA issued FIP [56 FR 5458].
11/6/91	Designated as a moderate nonattainment area for ozone [56 FR 56694].			
11/15/91			Arizona submitted its moderate area PM ₁₀ state implementation plan to EPA.	
5/8/92			EPA finds the moderate area PM ₁₀ plan incomplete because of insufficient public hearing process and State authority to enforce the plan. Action starts 18-month sanctions clock and 24-month clock to issue a moderate area PM ₁₀ Federal Implementation Plan (FIP) [57 FR 19906; 5/8/92].	
4/1/93	Maricopa County 1990 baseline emissions inventory submitted to EPA.			
8/11/93			Arizona submitted first revision to the moderate area PM ₁₀ plan.	

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9/7/93			EPA finds the revised moderate area PM ₁₀ plan complete, stopping the sanctions clock. The moderate area FIP clock continues.	
11/15/93	15% Rate of Progress (ROP) Plan submitted to EPA.			MAG 1993 Moderate Area Plan submitted to EPA (addendum submitted in 3/94).
3/3/94			Second revision to moderate area PM ₁₀ plan submitted to EPA.	
4/8/94	Supplemental 15% ROP Plan submitted to EPA.			
4/13/94	EPA found 15% ROP Plan incomplete (18-month sanction and 2-year FIP clocks started).			
6/28/94			Arizona Center for Law in the Public Interest (ACLIPI) sues to enforce the FIP obligation which became ready on March 4, 1994. EPA settled the case with an agreement to act on the moderate area PM ₁₀ plan by March 1, 1995 (<i>Ober v. Browner, No. CIV 94-1318 PHX, PGR, Consent Decree, March 6, 1995</i>).	

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7/28/94			EPA proposed approval of the moderate area PM ₁₀ plan [59 FR 3840; 7/28/94].	
11/94 & 5/95	Updates to 15% ROP plan submitted to EPA.			
12/31/94			1990 Clean Air Act Amendments (CAA § 188(c) deadline for attainment of the PM ₁₀ NAAQS for PM ₁₀ nonattainment areas designated as moderate.	
4/10/95			EPA issued final approval of Arizona's moderate area PM ₁₀ state implementation plan [60 FR 18010; 4/10/95].	
4/27/95			Arizona Center for Law in the Public Interest (ACLPI) filed suit (<i>Ober v. Browner</i>) challenging EPA's approval of Arizona's 1991 moderate area particulate plan, due to plan's failure to address the 24-hour PM ₁₀ NAAQS standard. The suit requested that the court order EPA to issue a Federal Implementation Plan (FIP).	
5/12/95	EPA found 15% ROP Plan complete - sanctions clock stopped.			
12/31/95				Attainment deadline for "moderate" nonattainments areas.

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5/10/96			EPA finds that the Phoenix Planning Area failed to attain the PM ₁₀ standards and reclassified the area as a serious nonattainment area for PM ₁₀ , by operation of law [61 FR 21372]. The rule became effective on June 10, 1996. The action allowed Arizona 18 months to develop a new state implementation plan providing for attainment of the PM ₁₀ NAAQS by December 31, 2001, the CAA attainment date for serious nonattainment areas (CAA § 188(c)(2)).	
5/14/96			On May 14, 1996, the U.S. Ninth Circuit Court of Appeals vacated EPA's 1995 approval of Arizona's moderate PM ₁₀ state implementation plan (<i>Ober v. Browner</i> , 84 F. 3d 304 (9 th Cir. 1996)).	
6/10/96			EPA's May 10, 1996, rule redesignating the Phoenix Planning Area as a PM ₁₀ serious nonattainment area became effective [61 FR 21372].	
8/28/96				Maricopa County Nonattainment Area reclassified from "moderate" to "serious" [61 FR 39343].

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11/15/96	Deadline for the Maricopa County moderate nonattainment area to demonstrate compliance with the national ambient air quality standards (NAAQS).			
3/25/97			U.S. District Court approved a consent decree that required EPA to propose a moderate area FIP for the Phoenix Planning Area, if EPA disapproved all or part of ADEQ's 24-hour PM ₁₀ plan (<i>Ober v. Browner</i>).	
5/7/97			Final moderate area plan for attainment of the 24-Hour PM ₁₀ standards (Microscale Plan) submitted to EPA.	
5/9/97	Final Metropolitan Phoenix Voluntary Early Ozone Plan (VEOP) submitted to EPA.			
5/15/97	EPA deadline to determine whether: 1) the ozone standard attainment deadline was missed and begin a process to reclassify the area from "moderate" to "serious"; or 2) take action to begin approval of the VEOP.			

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6/6/97			EPA proposed partial approval/partial disapproval of final plan (Microscale Plan) for Attainment of the 24-Hour PM ₁₀ Standard [62 FR 31025].	
7/8/97	Arizona Center for Law in the Public Interest (ACLPI) filed a lawsuit (<i>Ward and Aspegren v. Browner</i>) to require EPA to: 1) determine whether Phoenix has attained the ozone air quality standard; 2) publish the determination in the Federal Register; and 3) if the area has not attained the ozone standard, reclassify the area from "moderate" to "serious."			
7/18/97		EPA published final rule for the new 8-hour ozone standards [62 FR 31025; 7/18/97].		
8/97	Consent Order entered into to settle <i>Ward and Aspegren v. Browner</i> . EPA must determine if area has attained ozone NAAQS by 10/27/97.			

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8/4/97			EPA partially approved and partially disapproved ADEQ's microscale plan, the <i>Plan for Attainment of the 24-Hour PM₁₀ Standard – Maricopa County PM₁₀ Nonattainment Area</i> , submitted May 9, 1997 [62 FR 41856]. This EPA action triggered a FIP obligation under <i>Ober v. EPA</i> .	
9/97				Consent Decree entered into to settle <i>Disimone and Steuter v. Browner</i> ; SIP must be approved by 11/26/98 or EPA to begin to implement FIP contingency measures.
12/8/97	Maricopa County ozone nonattainment area reclassified to "serious" [62 FR 60001; 11/16/97].			
12/10/97			Arizona submitted to EPA the Maricopa Association of Governments (MAG's) <i>Serious Area Committed Particulate Control Measures for PM₁₀ and Support Technical Analysis</i> .	

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1/20/98	Court-ordered deadline (<i>American Lung Assoc. of Arizona, Inc. v. Browner</i>) for EPA to propose federal implementation plan (FIP) providing for 15% reductions in VOC emissions or notice of final rulemaking (NFRM) on approval of SIP providing for 15% reduction (i.e. 1993 MAG Ozone Plan and VEOP). Proposed 15% ROP FIP published on 1/26/98 [63 FR 3687].			
2/13/98	Serious area reclassification effective date corrected from 12/8/97 to 2/13/98 for Maricopa County Nonattainment Area [63 FR 7290].			

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2/25/98			EPA finds that Arizona had failed to submit: the regional moderate PM ₁₀ area requirements for the 24-hour PM ₁₀ standard; the serious area plan requirements for the annual PM ₁₀ standard; and the regional serious area requirements for the 24-hour standard, the deadline for each of which was December 10, 1997. EPA's action triggered the 18-month time clock for mandatory application of sanctions, and a two-year FIP clock [63 FR 9423].	
2/28/98				Serious area carbon monoxide plan due to EPA.
3/11/98	Limited disapproval of RACT Rule 336; Surface Coating Operations [63 FR 6487; 2/9/98].			
4/1/98			EPA proposed Moderate Area FIP [63 FR 15919].	
4/27/98				"Finding of failure to submit" serious area plan starts 18-month sanctions clock and 24-month FIP clock [63 FR 26720; 5/14/98].

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4/28/98			Limited disapproval of Residential Woodburning Restriction Ordinance [63 FR 15303; 3/30/98].	
5/17/98	Department of Energy intensive ozone study begins (Brookhaven Study).			
5/20/98	Court ordered deadline for EPA to promulgate final 15% ROP FIP.			
5/27/98	EPA issued final 15% ROP FIP [63 FR 28898].			
5/29/98			Senate Bill 1427 authorized Agricultural Best Management Practices (BMP) committee to develop and adopt, by rule, a list of best management practices to reduce fugitive dust from agricultural sources. Implementation of rule required by June 10, 2000, with compliance by affected sources by December 31, 2001.	
6/13/98	Brookhaven Study complete.			

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8/3/98			In accordance with <i>Ober v. EPA</i> consent decree, EPA published a FIP to address moderate area PM ₁₀ requirements in the Maricopa PM ₁₀ Nonattainment Area [63 FR 41326].	
8/21/98			Agricultural BMP Committee process begins per Senate Bill 1427.	
9/2/98			Effective date for final PM ₁₀ moderate area FIP; Disapproval of moderate area plan RACM and attainment demonstrations [63 FR 41326].	
9/4/98			Submission to EPA of Agricultural Best Management Practice (BMP) statutes as moderate area SIP revision.	
10/98	Summer 1998 ozone season complete with no violations; new ozone modeling commences.			
12/8/98	Serious Area ozone plan due to EPA. Deadline was later extended to 3/22/99 [63 FR 64415; 11/20/98].			
12/30/98			EPA proposed approval of the Agricultural BMP moderate area SIP revision [63 FR 71815].	

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3/26/99	EPA proposes minor changes to the 15% Rate of Progress (ROP) FIP [64 FR 14659].			
5/20/99	"Finding of failure to submit" deadline for serious area plan.		MAG's public hearing for serious area plan.	MAG's public hearing for serious area plan.
6/23/99			MAG's Regional Council adopted the MAG 1999 Serious Area Particulate Plan for PM ₁₀ , containing approximately 77 state and local government control measures.	
6/29/99			EPA withdrew its August 1998 FIP requirement that Arizona adopt and implement RACM for agricultural fields and aprons in the Maricopa PM ₁₀ Nonattainment Area, due to Arizona's adoption of legislation requiring that agricultural sources implement best management practices (BMP), which EPA determined were compliant with CAA RACM requirements [64 FR 34726].	
7/6/99	EPA promulgates revised FIP for 15 percent ROP [64 FR 36243].			

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7/9/99			Serious Area Plan, addressing both the 24-hour and annual PM ₁₀ standards on a regional basis, and Extension Request (for attainment to be achieved as expeditiously as practicable, but not to exceed 5 years (12-31-06)) submitted to EPA.	
7/29/99			EPA final approval of Agricultural BMP statutes to reduce fugitive dust from agricultural sources as a moderate area SIP revision; withdrawal of FIP commitment to develop agricultural controls [64 FR 34726].	
7/99		States' recommendations for nonattainment areas under the new 8-hour standard due to EPA (on hold due to <i>American Trucking Associations, Inc. v. EPA</i> , Nos. 97-1440 and 97-1441, D.C. Cir. Ct., May 14, 1999).		MAG/ADEQ submit Serious Area Plan to EPA.

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8/99			<p>ADEQ submits Apache Junction portion of the plan to EPA.</p> <p>EPA finds serious area PM₁₀ plan complete. The finding stops the sanctions clocks running due to the February 1998, failure to submit finding. Sanction clocks running due to moderate area plan disapprovals continue.</p>	
8/26/99			Petition for Review filed (<i>Ober v. EPA</i> , No. 99-71107) regarding EPA's final approval of Agricultural BMP moderate SIP revision.	
9/9/99				EPA's finding of completeness for Serious Area Plan turns off sanctions clock.
11/9/99			EPA notified ADEQ, MAG, Maricopa County that additional work needs to be done on the Serious Area Particulate Plan for PM ₁₀ , submitted in July 1999, regarding the level of source compliance for fugitive dust rules and the sufficiency of controls to address fugitive dust from public and private unpaved roads.	

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11/15/99	Deadline for attainment of 1-hour NAAQS for serious area (Maricopa County has 3 years of clean monitored data; 1997, 1998, 1999).			
12/27/99			EPA finds transportation conformity budget in the serious area PM ₁₀ plan inadequate [64 FR 69266; 12/10/99].	
1/25/00				
2/16/00			Final Revised MAG 1999 Serious Area Particulate Plan for PM ₁₀ for the Maricopa County Nonattainment Area submitted to EPA. MAG provided for a regional PM ₁₀ emission budget applicable to both annual and 24-hour PM ₁₀ standards.	
2/25/00			Completeness finding for the Revised MAG Serious Area PM ₁₀ Plan.	

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4/00			<p>EPA finds the transportation conformity budget in the Revised MAG Serious Area PM₁₀ Plan adequate [65 FR 18101; 4/6/00].</p> <p>EPA proposed approval for the Revised PM₁₀ Serious Nonattainment Area Plan for Attainment of the Annual PM₁₀ Standard [65 FR 19964; April 13, 2000 (40 CFR § 52)].</p> <p>EPA issues an interim final determination that Arizona has corrected deficiencies that resulted in sanctions. Determination stays the sanctions [65 FR 19962; 4/13/00].</p>	
4/7/00	ACLPI 15 percent ROP demonstration litigation, <i>Aspegren v. Browner</i> , to be dropped.			
5/12/00			Agricultural best management practices (BMP) rule becomes effective (Arizona Administrative Code R18-2-611).	

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5/19/00	Attainment determination proposed by EPA [65 FR 31859].			
7/11/00			Agricultural BMP rule submitted to EPA.	
7/18/00		Deadline for EPA to designate nonattainment areas for the 8-hour standard (delayed due to <i>American Trucking Association, Inc. v. EPA</i>).		
9/9/00			Highway sanctions to begin if serious area plan not approved (frozen with 2/25/00 completeness finding).	
12/14/00	Serious Area Ozone SIP submitted to EPA.			
12/31/00				Deadline for attainment of the CO NAAQS for serious areas.
2/27/01		U.S. Supreme Court upholds the 8-hour standard and directs EPA to develop an implementation approach that blends CAA, Title I, Part D, Subpart 1 and 2 requirements (<i>American Trucking Association, Inc. v. EPA</i>).		

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3/23/01			The 9 th Circuit upholds EPA's use in the moderate area plan of de minimis source category exemption from the RACM requirement (Ober v. Whitman, 243 F.3d 1190; 9 th Cir. 2001).	
6/13/01			Final information quantifying the impact of the agricultural best management practices general permit rule, a revised demonstration of attainment for the 24-hour standard, and revisions to contingency measures in the serious area plan submitted to EPA.	
6/29/01	Effective date for EPA finding that the Phoenix area has attained the 1-hour ozone standard [66 FR 29230; 5/30/01].		EPA proposes to approve the agricultural best management practices general permit rule and to find the rule meets RACM for agricultural sources [66 FR 34598; 6/29/01].	
7/1/01				Deadline for EPA to determine whether the area attained the standard. If not, EPA issues SIP call.
10/02/01			EPA proposes approval of the serious area plan provisions for attaining the 24-hour standard [66 FR 50252; 10/2/01].	
10/09/01				EPA finds the CO SIP complete.

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11/11/01			EPA approves the Agricultural BMP general permit rule and finds that the rule meets RACM for agricultural sources in Maricopa County [66 FR 51869; 10/11/01].	
4/1/02				If receive SIP call, deadline for submittal of SIP revision containing an economic incentive program and other measures necessary to achieve a 5% annual reduction in CO emissions.
7/2/02			EPA found that controls proposed in ADEQ's May 1997 Plan for Attainment of the 24-Hour PM ₁₀ Standard – Maricopa County PM ₁₀ Nonattainment Area, inadequate to ensure the attainment of the PM ₁₀ NAAQS at the Salt River air quality monitoring sites [67 FR 44369].	

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7/25/02			EPA final approval of Arizona's serious area PM ₁₀ plan for the Maricopa County part of the Maricopa county PM ₁₀ Nonattainment Area, granting Arizona's request to extend the CAA deadline for attainment of the annual and 24-hour PM ₁₀ standards from December 31, 2001, to December 31, 2006, and approved the County fugitive dust rules and other PM ₁₀ controls [67 FR 48718; 7/25/02].	
8/02			Vigil (ACLPI) v. EPA filed in the Ninth Circuit Court of Appeals, challenging EPA approval of Arizona's serious area PM ₁₀ plan for the metropolitan Phoenix area, and the extension of the serious area PM ₁₀ attainment deadline to December 31, 2006. Agricultural BMPs and California Air Resources Board (CARB) diesel fuel standard are issues.	

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11/02		EPA and environmental groups agree that EPA will promulgate air quality designations for the 8-hour ozone standard by April 15, 2004 [67 FR 70070; 11/20/02]. EPA requests states submit designation recommendations by April 15, 2003.		
2/27/03		EPA extends date for state's designation recommendations to July 15, 2003.		
6/03		EPA proposes rule for implementing the 8-hour standard [68 FR 32802; 6/2/03].		
7/03		Arizona submits attainment/unclassifiable and nonattainment boundary recommendation on July 15, 2003, and technical support documentation on July 22, 2003.		

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8/03		EPA issues draft regulatory text to accompany the June 2, 2003, proposed implementation rule [68 FR 46536; 8/6/03].		
11/21/03				EPA finds that the Phoenix area has attained the carbon monoxide NAAQS by the CAA deadline of 12/31/00 [68 FR 55008; 9/22/03].
1/04			Preliminary state implementation plan revision for the Salt River area submitted to EPA.	
3/1/04	MAG/ADEQ Public Hearing on 1-hour ozone standard maintenance plan.			

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4/15/04		<p>EPA signs area designations for the 8-hour standard. The Phoenix nonattainment area includes portions of eastern Maricopa County and the Apache Junction area of Pinal County [69 FR 23858; 4/30/04].</p> <p>EPA also issues Phase 1 of the final implementation rule addressing revocation of the 1-hour standard, attainment dates, and other program elements (the Phase 2 final rule regarding reasonable further progress, attainment demonstrations, and RACM/RACT is expected by mid-2004) [69 FR 23951; 4/30/04].</p>		
4/21/04	1-hour ozone redesignation request and maintenance plan submitted to EPA.			

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5/10/04			Vigil v. EPA, filed opinion granted ACLPI's petition in part, vacating portions of EPA's final approval of Arizona's state implementation plan for Maricopa County, and remanding the approval to EPA for review.	
6/15/04		Effective date of 8-hour area designations.		
12/31/06			Deadline for attainment of the PM ₁₀ NAAQS under extension request if approved by EPA.	
6/07		Nonattainment area SIP due to EPA.		
6/09		Deadline for attainment of the 8-hour NAAQS.		