

CHAPTER 3 FAILURE TO ATTAIN STANDARDS

Rule 3.101 - Purpose

As required by 42 USC 7410(a)(2)(G) of the FCAA, this chapter outlines what the department will do in the event that either non-attainment areas fail to attain the NAAQS or to make reasonable progress in reducing emissions.

Rule 3.102 - Particulate Matter Contingency Measures

- (1) Within sixty (60) days after being notified by the DEQ and EPA that the area has failed to attain the PM₁₀ NAAQS or make reasonable further progress in reducing emissions, the department will select and implement one of the following contingency measures:
 - (a) If the major contributing source is re-entrained road dust, then the department will implement Rule 8.304.
 - (b) If the major contributing source is wood burning, then the department will implement Rules 4.113 and 9.601.
- (2) The department will determine what source is the significant contributor to the violation using chemical or microscopic analysis of exposed PM₁₀ filters.
- (3) If neither wood burning nor re-entrained road dust is the major contributing source, the department will still implement one of the contingency measures listed in (1) of this rule.

Rule 3.103 - Carbon Monoxide Contingency Measures

Within sixty (60) days of notification by the DEQ and the EPA that the area has failed to attain the carbon monoxide NAAQS or make reasonable further progress in reducing emissions, the department will implement Rules 9.119 and if the department determines that motor vehicles are greater than 40 percent of the cause, the department will implement Rule 10.110.

Rule 3.104 - Early Implementation of Contingency Measures

Early implementation of a contingency measure will not result in the requirement to implement additional moderate area contingency measures if the area fails to attain the NAAQS or make reasonable further progress in reducing emissions. However, if the area is redesignated as serious, additional control measures including Best Available Control Measures and serious area contingency measures will be necessary.