

CHAPTER 31
NONATTAINMENT AREAS

567—31.1(455B) Permit requirements relating to nonattainment areas. Special construction permit requirements in nonattainment areas are contained in rules 567—22.5(455B) and 22.6(455B).

567—31.2(455B) Conformity of general federal actions to the Iowa state implementation plan or federal implementation plan. The federal regulations relating to determining conformity of general federal actions to state or federal implementation plans, 40 CFR 93, Subpart B, as amended through December 21, 1993, are adopted by reference except 40 CFR 93.151.

31.2(1) Section 93.160(f) is modified to read:

(f) Written commitments to mitigation measures must be obtained prior to a positive conformity determination and such commitment must be fulfilled.

31.2(2) Section 93.160(g) is modified to read:

(g) After February 22, 1995, and EPA's approval of the corresponding state implementation plan change, any agreements, including mitigation measures, necessary for a conformity determination will be both state and federally enforceable. Enforceability through the Iowa state implementation plan will apply to all persons who agree to mitigate direct and indirect emissions associated with a federal action for a conformity determination.

These rules are intended to implement Iowa Code section 455B.133.

[Filed 12/30/94, Notice 10/12/94—published 1/18/95, effective 2/22/95]

[Filed 3/19/98, Notice 1/14/98—published 4/8/98, effective 5/13/98]