

not withdrawn and a CAIR opt-in permit is not yet issued or denied, except that the provisions exclude § 96.288(c) of this chapter and the provisions of subpart III of part 96 of this chapter that apply only to units covered by § 96.288(c) of this chapter.

[70 FR 25328, May 12, 2005, as amended at 71 FR 25302, 25372, Apr. 28, 2006; 71 FR 74793, Dec. 13, 2006]

**§ 51.125 Emissions reporting requirements for SIP revisions relating to budgets for SO<sub>2</sub> and NO<sub>x</sub> emissions.**

(a) For its transport SIP revision under § 51.123 and/or 51.124, each State must submit to EPA SO<sub>2</sub> and/or NO<sub>x</sub> emissions data as described in this section.

(1) Alabama, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

(2) Alabama, Arkansas, Connecticut, Delaware, Florida, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin and the District of Columbia must report ozone season (May 1 through September 30) emissions of NO<sub>x</sub>.

(b) Each revision must provide for periodic reporting by the State of SO<sub>2</sub> and/or NO<sub>x</sub> emissions data as specified in paragraph (a) of this section to demonstrate whether the State's emissions are consistent with the projections contained in its approved SIP submission.

(1) Every-year reporting cycle. As applicable, each revision must provide for reporting of SO<sub>2</sub> and NO<sub>x</sub> emissions data every year as follows:

(i) The States identified in paragraph (a)(1) of this section must report to EPA annual emissions data every year from all SO<sub>2</sub> and NO<sub>x</sub> sources within the State for which the State specified control measures in its SIP submission under §§ 51.123 and/or 51.124.

(ii) The States identified in paragraph (a)(2) of this section must report to EPA ozone season and summer daily emissions data every year from all NO<sub>x</sub> sources within the State for which the State specified control measures in its SIP submission under § 51.123.

(iii) If sources report SO<sub>2</sub> and NO<sub>x</sub> emissions data to EPA in a given year pursuant to a trading program approved under § 51.123(o) or § 51.124(o) of this part or pursuant to the monitoring and reporting requirements of 40 CFR part 75, then the State need not provide annual reporting of these pollutants to EPA for such sources.

(2) *Three-year reporting cycle.* As applicable, each plan must provide for triennial (*i.e.*, every third year) reporting of SO<sub>2</sub> and NO<sub>x</sub> emissions data from all sources within the State.

(i) The States identified in paragraph (a)(1) of this section must report to EPA annual emissions data every third year from all SO<sub>2</sub> and NO<sub>x</sub> sources within the State.

(ii) The States identified in paragraph (a)(2) of this section must report to EPA ozone season and ozone daily emissions data every third year from all NO<sub>x</sub> sources within the State.

(3) The data availability requirements in § 51.116 must be followed for all data submitted to meet the requirements of paragraphs (b)(1) and (2) of this section.

(c) The data reported in paragraph (b) of this section must meet the requirements of subpart A of this part.

(d) Approval of annual and ozone season calculation by EPA. Each State must submit for EPA approval an example of the calculation procedure used to calculate annual and ozone season emissions along with sufficient information for EPA to verify the calculated value of annual and ozone season emissions.

(e) *Reporting schedules.* (1) Reports are to begin with data for emissions occurring in the year 2008, which is the first year of the 3-year cycle.

(2) After 2008, 3-year cycle reports are to be submitted every third year and every-year cycle reports are to be submitted each year that a triennial report is not required.

(3) States must submit data for a required year no later than 17 months

## § 51.150

after the end of the calendar year for which the data are collected.

(f) Data reporting procedures are given in subpart A of this part. When submitting a formal NO<sub>x</sub> budget emissions report and associated data, States shall notify the appropriate EPA Regional Office.

(g) *Definitions.* (1) As used in this section, "ozone season" is defined as follows:

*Ozone season.*—The five month period from May 1 through September 30.

(2) Other words and terms shall have the meanings set forth in appendix A of subpart A of this part.

[70 FR 25333, May 12, 2005, as amended at 71 FR 25302, Apr. 28, 2006]

### Subpart H—Prevention of Air Pollution Emergency Episodes

SOURCE: 51 FR 40668, Nov. 7, 1986, unless otherwise noted.

#### § 51.150 Classification of regions for episode plans.

(a) This section continues the classification system for episode plans. Each region is classified separately with respect to each of the following pollutants: Sulfur oxides, particulate matter, carbon monoxide, nitrogen dioxide, and ozone.

(b) *Priority I Regions* means any area with greater ambient concentrations than the following:

(1) Sulfur dioxide—100 µg/m<sup>3</sup> (0.04 ppm) annual arithmetic mean; 455 µg/m<sup>3</sup> (0.17 ppm) 24-hour maximum.

(2) Particulate matter—95 µg/m<sup>3</sup> annual geometric mean; 325 µg/m<sup>3</sup> 24-hour maximum.

(3) Carbon monoxide—55 mg/m<sup>3</sup> (48 ppm) 1-hour maximum; 14 mg/m<sup>3</sup> (12 ppm) 8-hour maximum.

(4) Nitrogen dioxide—100 µg/m<sup>3</sup> (0.06 ppm) annual arithmetic mean.

(5) Ozone—195 µg/m<sup>3</sup> (0.10 ppm) 1-hour maximum.

(c) *Priority IA Region* means any area which is Priority I primarily because of emissions from a single point source.

(d) *Priority II Region* means any area which is not a Priority I region and has ambient concentrations between the following:

(1) Sulfur Dioxides—60–100 µg/m<sup>3</sup> (0.02–0.04 ppm) annual arithmetic

## 40 CFR Ch. I (7–1–07 Edition)

mean; 260–445 µg/m<sup>3</sup> (0.10–0.17 ppm) 24-hour maximum; any concentration above 1,300 µg/m<sup>3</sup> (0.50 ppm) three-hour average.

(2) Particulate matter—60–95 µg/m<sup>3</sup> annual geometric mean; 150–325 µg/m<sup>3</sup> 24-hour maximum.

(e) In the absence of adequate monitoring data, appropriate models must be used to classify an area under paragraph (b) of this section, consistent with the requirements contained in § 51.112(a).

(f) Areas which do not meet the above criteria are classified Priority III.

[51 FR 40668, Nov. 7, 1986, as amended at 58 FR 38822, July 20, 1993]

#### § 51.151 Significant harm levels.

Each plan for a Priority I region must include a contingency plan which must, as a minimum, provide for taking action necessary to prevent ambient pollutant concentrations at any location in such region from reaching the following levels:

*Sulfur dioxide*—2.620 µg/m<sup>3</sup> (1.0 ppm) 24-hour average.

PM<sub>10</sub>—600 micrograms/cubic meter; 24-hour average.

*Carbon monoxide*—57.5 mg/m<sup>3</sup> (50 ppm) 8-hour average; 86.3 mg/m<sup>3</sup> (75 ppm) 4-hour average; 144 mg/m<sup>3</sup> (125 ppm) 1-hour average.

*Ozone*—1,200 µg/m<sup>3</sup> (0.6 ppm) 2-hour average.

*Nitrogen dioxide*—3.750 µg/m<sup>3</sup> (2.0 ppm) 1-hour average; 938 µg/m<sup>3</sup> (0.5 ppm) 24-hour average.

[51 FR 40668, Nov. 7, 1986, as amended at 52 FR 24713, July 1, 1987]

#### § 51.152 Contingency plans.

(a) Each contingency plan must—

(1) Specify two or more stages of episode criteria such as those set forth in appendix L to this part, or their equivalent;

(2) Provide for public announcement whenever any episode stage has been determined to exist; and

(3) Specify adequate emission control actions to be taken at each episode stage. (Examples of emission control actions are set forth in appendix L.)

(b) Each contingency plan for a Priority I region must provide for the following:

(1) Prompt acquisition of forecasts of atmospheric stagnation conditions and