

## § 52.744

a revision to the Illinois State Implementation Plan (SIP). Illinois shall set forth alternative emissions monitoring and reporting requirements to satisfy the intent of 40 CFR part 51, appendix P whenever Illinois exempts any source subject to Section 201.401 from installing continuous emission monitoring systems. Illinois may exempt a source if the source cannot install a continuous emission monitoring system because of physical plant limitations or extreme economic reasons, according to the criteria of Section 201.402.

(b) As codified at 40 CFR 52.737 (USEPA's approval of the Illinois operating permit program for the purpose of issuing federally enforceable construction and operating permits), USEPA reserves the right to deem an operating permit not federally enforceable. Such a determination will be made according to appropriate procedures including operating permit requirements promulgated at 54 FR 27274 (June 28, 1989) and will be based upon either; the permit, permit approval procedures or state or local permit requirements which do not conform with the operating permit program requirements or the requirements of USEPA's underlying regulations. Among other things, underlying requirements include 40 CFR 51.214 and part 51, appendix P and Illinois' approved SIP, 40 CFR part 52. Should USEPA deem an operating or construction permit containing alternative monitoring requirements not federally enforceable, the underlying continuous monitoring requirements at Section 201.401 of the State rule would be the Federal requirements contained in the SIP to which the source would be subject. This interpretation of the impact of an operating permit deemed not federally enforceable by USEPA on a source to which it was issued was acknowledged by the State in a March 3, 1993, letter from Bharat Mathur, Chief, Bureau of Air, Illinois Environmental Protection Agency, to Stephen Rothblatt, Chief, Regulation Development Branch, Region 5, USEPA.

[58 FR 17783, Apr. 6, 1993]

## 40 CFR Ch. I (7-1-07 Edition)

### § 52.744 Small business stationary source technical and environmental compliance assistance program.

The Illinois program submitted on November 12, 1992, as a requested revision to the Illinois State Implementation Plan satisfies the requirements of section 507 of the Clean Air Act Amendments of 1990.

[58 FR 45451, Aug. 30, 1993]

### § 52.745 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

The owner or operator of each NO<sub>x</sub> source located within the State of Illinois and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual and Ozone Season Trading Programs in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25374, Apr. 28, 2006]

### § 52.746 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner or operator of each SO<sub>2</sub> source located within the State of Illinois and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> Trading Program in part 97 of this chapter must comply with such applicable requirements.

[71 FR 25374, Apr. 28, 2006]

## Subpart P—Indiana

### § 52.769 Identification of plan—conditional approval.

The plan revision commitment listed in paragraphs (a) and (b) of this section were submitted on the dates specified.

(a)–(b) [Reserved]

[60 FR 22241, 22242, May 4, 1995, as amended at 62 FR 19056, Apr. 18, 1997; 63 FR 35144, June 29, 1998]

### § 52.770 Identification of plan.

(a) Title of plan: "State of Indiana Air Pollution Control Implementation Plan."

(b) The plan was officially submitted on January 31, 1972.

(c) The plan revisions listed below were submitted on the dates specified.