

## Environmental Protection Agency

## § 52.1237

(vii) A description of the procedures to be used to calculate 30-day rolling averages and an example calculation which shows the algorithms used by the CEMS to calculate 30-day rolling averages.

(viii) A sample of the document to be used for the quarterly excess emission reports required by this section.

(ix) A description of the procedures to be implemented to investigate root causes of excess emissions and monitor downtime and the proposed corrective actions to address potential root causes of excess emissions and monitor downtime.

(x) A description of the sampling and calculation methodology for determining the percent sulfur by weight as a monthly block average for coal used during that month.

[78 FR 8738, Feb. 6, 2013]

### § 52.1236 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring and new source review. The provisions of §§ 52.26 and 52.28 are hereby incorporated and made a part of the applicable plan for the State of Minnesota.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the State of Minnesota.

(d) The requirements of section 169A of the Clean Air Act are not met because the regional haze plan submitted by the state on December 30, 2009, and on May 8, 2012, does not meet the requirements of 40 CFR 51.308(e) with respect to NO<sub>x</sub> and SO<sub>2</sub> emissions from United States Steel Corporation, Keetac of Keewatin, Minnesota; Hibbing taconite company of Hibbing, Minnesota; United States Steel Corporation, Minntac of Mountain Iron, Minnesota; United Taconite, LLC of Forbes, Minnesota; ArcelorMittal Minnorca Mine, Inc. near Virginia, Minnesota; and Northshore Mining Company-Silver Bay of Silver Bay, Minnesota. The requirements for these fa-

cilities are satisfied by complying with the requirements of § 52.1235.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 78 FR 59839, Sept. 30, 2013]

### § 52.1237 Control strategy: Carbon monoxide.

(a) The base year carbon monoxide emission inventory requirement of section 187(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for the following areas: Duluth Metropolitan Area and Minneapolis-St. Paul Metropolitan Area.

(b) Approval—The 1993 carbon monoxide periodic emission inventory requirement of section 187(a)(5) of the Clean Air Act, as amended in 1990, has been satisfied for the following areas: the counties of the Twin cities seven county Metropolitan area (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington), and Wright.

(c) Approval—On March 23, 1998, the Minnesota Pollution Control Agency submitted a request to redesignate the Minneapolis/St. Paul CO nonattainment area (consisting of portions of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, Washington, and Wright) to attainment for CO. As part of the redesignation request, the State submitted a maintenance plan as required by 175A of the Clean Air Act, as amended in 1990. Elements of the section 175A maintenance plan include a base year (1996 attainment year) emission inventory for CO, a demonstration of maintenance of the ozone NAAQS with projected emission inventories to the year 2009, a plan to verify continued attainment, a contingency plan, and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. If the area records a violation of the CO NAAQS (which must be confirmed by the State), Minnesota will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes oxygenated fuel, transportation control measures, or a vehicle inspection and maintenance program. The redesignation request and maintenance plan meet the redesignation requirements in

section 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively.

(d) Approval—On November 10, 2004, Minnesota submitted a revision to the Carbon Monoxide (CO) maintenance plan for the Minneapolis-St. Paul area. These plans revised 1996 and 2009 motor vehicle emission inventories and 2009 Motor Vehicle Emissions Budgets (MVEB) recalculated using the emissions factor model MOBILE6. The MVEB for transportation conformity purposes for the Minneapolis-St. Paul maintenance area is 1961 tons per winter day of CO.

(e) Approval—On June 16, 2010, Minnesota submitted a carbon monoxide (CO) limited maintenance plan for the Minneapolis-St. Paul area under section 175A of the CAA for the continued attainment of the one hour and eight hour CO NAAQS.

[59 FR 47807, Sept. 19, 1994, as amended at 62 FR 55172, Oct. 23, 1997; 64 FR 58354, Oct. 29, 1999; 69 FR 71380, Dec. 9, 2004; 75 FR 54778, Sept. 9, 2010]

**§ 52.1240 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?**

(a)(1) The owner and operator of each source located within the State of Minnesota and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Annual Trading Program in subparts AA through II of part 97 of this chapter must comply with such applicable requirements. The obligation to comply with these requirements in part 97 of this chapter will be eliminated by the promulgation of an approval by the Administrator of a revision to the Minnesota State Implementation Plan (SIP) as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to NO<sub>x</sub> under § 51.123 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.123(p) of this chapter.

(2) Notwithstanding any provisions of paragraph (a)(1) of this section, if, at the time of such approval of the State's SIP, the Administrator has already allocated CAIR NO<sub>x</sub> allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to com-

plete the allocation of CAIR NO<sub>x</sub> allowances for those years shall continue to apply, unless the Administrator approves a SIP provision that provides for the allocation of the remaining CAIR NO<sub>x</sub> allowances for those years.

(b) Notwithstanding paragraph (a) of this section, such paragraph is not applicable as it relates to sources in the State of Minnesota as of December 3, 2009, except that:

(1) The owner and operator of each source referenced in such paragraph in whose compliance account any allocation of CAIR NO<sub>x</sub> allowances was recorded under the Federal CAIR NO<sub>x</sub> Annual Trading Program in part 97 of this chapter shall hold in that compliance account, as of midnight of December 3, 2009 and with regard to each such recorded allocation, CAIR NO<sub>x</sub> allowances that are usable in such trading program, issued for the same year as the recorded allocation, and in the same amount as the recorded allocation. The owner and operator shall hold such allowances for the purpose of deduction by the Administrator under paragraph (b)(2) of this section.

(2) After December 3, 2009, the Administrator will deduct from the compliance account of each source in the State of Minnesota any CAIR NO<sub>x</sub> allowances required to be held in that compliance account under paragraph (b)(1) of this section. The Administrator will not deduct, for purposes of implementing the stay, any other CAIR NO<sub>x</sub> allowances held in that compliance account and, starting no later than December 3, 2009, will not record any allocation of CAIR NO<sub>x</sub> allowances included in the State trading budget for Minnesota for any year.

(c)(1) The owner and operator of each source and each unit located in the State of Minnesota and Indian country within the borders of the State and for which requirements are set forth under the TR NO<sub>x</sub> Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements with regard to sources and units in the State will be eliminated by the promulgation of an approval by the Administrator of a revision to Minnesota's State Implementation Plan (SIP) as correcting in part