

[62 FR 52022, Oct. 6, 1997; 62 FR 65224, Dec. 11, 1997, as amended at 63 FR 6487, Feb. 9, 1998; 63 FR 20318, Apr. 24, 1998; 64 FR 12024, Mar. 10, 1999; 64 FR 52238, Sept. 28, 1999; 64 FR 67192, Dec. 1, 1999; 65 FR 12479, Mar. 9, 2000; 65 FR 62624, Oct. 19, 2000; 65 FR 64360, Oct. 27, 2000; 65 FR 81746, Dec. 27, 2000; 66 FR 16137, Mar. 23, 2001; 66 FR 63312, Dec. 6, 2001; 68 FR 9011, Feb. 27, 2003; 70 FR 61387, Oct. 24, 2005; 71 FR 51765, Aug. 31, 2006; 73 FR 4109, Jan. 24, 2008; 73 FR 74026, Dec. 5, 2008]

§ 52.387 Interstate Transport for the 1997 8-hour ozone and PM_{2.5} NAAQS.

On March 13, 2007, the State of Connecticut submitted a State Implementation Plan (SIP) revision addressing the Section 110(a)(2)(D)(i) interstate transport requirements of the Clean Air Act for the 1997 8-hour ozone and PM_{2.5} National Ambient Air Quality Standards (NAAQS). There are four distinct elements related to the impact of interstate transport of air pollutants. These include prohibiting significant contribution to downwind nonattainment of the NAAQS, interference with maintenance of the NAAQS, interference with plans in another state to prevent significant deterioration of air quality, and interference with efforts of other states to protect visibility. EPA has found that Connecticut's March 13, 2007 submittal adequately addresses these four distinct elements and has approved the submittal as meeting the requirements of Section 110(a)(2)(D)(i) for the 1997 8-hour ozone and PM_{2.5} NAAQS.

[73 FR 25518, May 7, 2008]

Subpart I—Delaware

§ 52.420 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Delaware under section 110 of the Clean Air Act, 42 U.S.C. 7410, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed as incorporated by reference in paragraphs (c) and (d) was ap-

proved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates on or after February 1, 2009 will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region III certifies that the rules/regulations and source-specific requirements provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations and source-specific requirements which have been approved as part of the State implementation plan as of February 1, 2009.

(3) Copies of the materials incorporated by reference may be inspected at the EPA Region III Office at 1650 Arch Street, Philadelphia, PA 19103. For further information, call (215) 814-2108; the EPA, Air and Radiation Docket and Information Center, Room Number 3334, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20460. For further information, call (202) 566-1742; or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) *EPA approved Regulations.*

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation No. 1 Definitions and Administrative Principles				
Section 1	General Provisions	5/28/74	03/23/76, 41 FR 12010.	
Section 2	Definitions	10/11/98	3/11/99, 64 FR 12085.	
Section 2	Definitions	2/8/95	9/9/99, 64 FR 48961	New Definitions: (Effective date: 1/7/77)

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
				—Capacity factor. —Continuous monitoring system. —Emission standard. —Equipment shut-down. —Excess Emissions (Effective Date: 9/26/78). —Sulfuric Acid Plant. Revised Definitions: (Effective date: 1/7/77). —Existing Installation, Equipment, Source, or Operation. —New Installation, Equipment, Source, or Operation.
Section 2	Definitions	2/11/03	11/1/05, 70 FR 65847	Added definition of PM _{2.5} .
Section 3	Administrative Principles	1/7/72	05/31/72, 37 FR 10842.	
Section 4	Abbreviations	2/1/81	3/15/82, 48 FR 11013	Abbreviation of "CAA" only.

Regulation No. 1102 Permits

Section 1	General Provisions	6/15/06	12/7/06, 71 FR 70883	SIP effective date is 2/5/07.
Section 2	Applicability	6/1/97	1/13/00, 65 FR 2048.	
Section 3	Applications Prepared by Interested Parties.	6/1/97	1/13/00, 65 FR 2048.	
Section 4	Cancellation of Construction Permits	6/1/97	1/13/00, 65 FR 2048.	
Section 5	Action on Applications	6/1/97	1/13/00, 65 FR 2048.	
Section 6	Denial, Suspension or Revocation of Operating Permits.	6/15/06	12/7/06, 71 FR 70883	SIP effective date is 2/5/07.
Section 7	Transfer of Permit/Registration Prohibited.	6/1/97	1/13/00, 65 FR 2048.	
Section 8	Availability of Permit/Registration	6/1/97	1/13/00, 65 FR 2048.	
Section 9	Registration Submittal	6/1/97	1/13/00, 65 FR 2048.	
Section 10	Source Category Permit Application	6/1/97	1/13/00, 65 FR 2048.	
Section 11	Permit Application	6/15/06	12/7/06, 71 FR 70883	SIP effective date is 2/5/07.
Section 12	Public Participation	6/15/06	12/7/06, 71 FR 70883	SIP effective date is 2/5/07.
Section 13	Department Records	6/1/97	1/13/00, 65 FR 2048.	
Appendix "A"	[List of Permit Exemptions]	6/1/97	1/13/00, 65 FR 2048.	

Regulation No. 3 Ambient Air Quality Standards

Section 1	General Provisions	2/11/03	11/1/05, 70 FR 65847	Addition of section 1.6.j.
Section 2	General Restrictions	3/11/80	10/30/81, 46 FR 53663.	
Section 3	Suspended Particulates	3/11/80	10/30/81, 46 FR 53663.	
Section 4	Sulfur Dioxide	3/11/80	10/30/81, 46 FR 53663.	
Section 5	Carbon Monoxide	3/11/80	10/30/81, 46 FR 53663.	
Section 6	Ozone	2/11/03	11/1/05, 70 FR 65847	
Section 8	Nitrogen Dioxide	3/11/80	10/30/81, 46 FR 53663.	Addition to section 6.1— "This standard shall be applicable to New Castle and Kent Counties."; Addition of section 6.2;
Section 10	Lead	3/11/80	3/11/82, 48 FR 10535.	
Section 11	PM ₁₀ and PM _{2.5} Particulates	2/11/03	11/1/05, 70 FR 65847	
				Section title added "and PM _{2.5} "; Addition of sections 11.2.a. and 11.2.b.

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation No. 4 Particulate Emissions from Fuel Burning Equipment				
Section 1	General Provisions	5/28/74	3/23/76, 41 FR 12010.	
Section 2	Emission Limits	5/28/74	3/23/76, 41 FR 12010.	
Regulation No. 5 Particulate Emissions from Industrial Process Operations				
Section 1	General Provisions	5/28/74	3/23/76, 41 FR 12010.	
Section 2	General Restrictions	5/28/74	3/23/76, 41 FR 12010.	
Section 3	Restrictions on Hot Mix Asphalt Batching Operations.	5/28/74	3/23/76, 41 FR 12010.	
Section 4	Restrictions on Secondary Metal Operations.	12/2/77	07/30/79, 44 FR 44497.	
Section 5	Restrictions on Petroleum Refining Operations.	9/26/78	9/9/99, 64 FR 48961.	
Section 6	Restrictions on Prill Tower Operations.	9/26/78	08/01/80, 45 FR 51198.	
Section 7	Control of Potentially Hazardous Particulate Matter.	1/7/72	5/31/72, 37 FR 10842.	
Regulation No. 6 Particulate Emissions from Construction and Materials Handling				
Section 1	General Provisions	1/7/72	05/31/72, 37 FR 10842.	
Section 2	Demolition	5/28/74	03/23/76, 41 FR 12010.	
Section 3	Grading, Land Clearing, Excavation and Use of Non-Paved Roads.	5/28/74	03/23/76, 41 FR 12010.	
Section 4	Material Movement	5/28/74	03/23/76, 41 FR 12010.	
Section 5	Sandblasting	5/28/74	03/23/76, 41 FR 12010.	
Section 6	Material Storage	5/28/74	03/23/76, 41 FR 12010.	
Regulation No. 7 Particulate Emissions from Incineration				
Section 1	General Provisions	05/28/74	03/23/76, 41 FR 12010.	
Section 2	Restrictions	12/8/83	10/3/84, 49 FR 39061	Provisions were revised 10/13/89 by State, but not submitted to EPA as SIP revisions.
Regulation No. 8 Sulfur Dioxide Emissions from Fuel Burning Equipment				
Section 1	General Provisions	12/8/83	10/3/84, 49 FR 39061.	
Section 2	Limit on Sulfur Content of Fuel	5/9/85	12/8/86, 51 FR 44068.	
Section 3	Emissions Control in Lieu of Sulfur Content Limits of Section 2.	5/9/85	12/8/86, 51 FR 44068.	
Regulation No. 9 Emissions of Sulfur Compounds from Industrial Operations				
Section 1	General Provisions	5/9/85	12/8/86, 51 FR 44068.	
Section 2	Restrictions on Sulfuric Acid Manufacturing Operations.	9/26/78	9/9/99, 64 FR 48961	1. On 3/11/1982 (47 FR 10535), EPA approved revisions to Section 2 with a State effective date of 12/29/1980. 2. Section 2.2 (State effective date: 9/26/1980) is federally enforceable as a Section 111(d) plan and codified at 40 CFR 62.1875.
Section 3	Restriction on Sulfur Recovery Operations.	5/28/74	03/23/76, 41 FR 12010.	
Section 4	Stack Height Requirements	4/18/83	09/21/83, 48 FR 42979.	
Regulation No. 10 Control of Sulfur Dioxide Emissions—Kent and Sussex Counties				
Section 1	Requirements for Existing Sources of Sulfur Dioxide.	1/7/72	05/31/72, 37 FR 10842.	
Section 2	Requirements for New Sources of Sulfur Dioxide.	5/28/74	03/23/76, 41 FR 12010.	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation No. 11 Carbon Monoxide Emissions from Industrial Process Operations—New Castle County				
Section 1	General Provisions	5/28/74	03/23/76, 41 FR 12010.	
Section 2	Restrictions on Petroleum Refining Operations.	1/7/72	05/31/72, 37 FR 10842	Citation revised 3/23/76, 41 FR 12010.
Regulation No. 12 Control of Nitrogen Oxide Emissions				
Section 1	Applicability	11/24/93	6/14/01, 66 FR 32234.	
Section 2	Definitions	11/24/93	6/14/01, 66 FR 32234.	
Section 3	Standards	11/24/93	6/14/01, 66 FR 32234.	
Section 4	Exemptions	11/24/93	6/14/01, 66 FR 32234.	
Section 5	Alternative and Equivalent RACT Determination.	11/24/93	6/14/01, 66 FR 32234.	
Section 6	RACT Proposals	11/24/93	6/14/01, 66 FR 32234.	
Section 7	Compliance, Certification, Record-keeping, and Reporting Requirements.	11/24/93	6/14/01, 66 FR 32234.	
Regulation No. 1113 Open Burning (Formerly Regulation No. 13)				
Section 1.0	Purpose	04/11/07	9/20/07, 72 FR 53686.	
Section 2.0	Applicability	04/11/07	9/20/07, 72 FR 53686.	
Section 3.0	Definitions	04/11/07	9/20/07, 72 FR 53686.	
Section 4.0	Prohibitions and Related Provisions ..	04/11/07	9/20/07, 72 FR 53686.	
Section 5.0	Season and Time Restrictions	04/11/07	9/20/07, 72 FR 53686.	
Section 6.0	Allowable Open Burning	04/11/07	9/20/07, 72 FR 53686.	
Section 7.0	Exemptions	04/11/07	9/20/07, 72 FR 53686.	
Regulation No. 14 Visible Emissions				
Section 1	General Provisions	7/17/84	07/02/85, 50 FR 27244.	
Section 2	Requirements	7/17/84	07/02/85, 50 FR 27244.	
Section 3	Alternate Opacity Requirements	7/17/84	07/02/85, 50 FR 27244.	
Section 4	Compliance with Opacity Standards	7/17/84	07/02/85, 50 FR 27244.	
Regulation No. 15 Air Pollution Alert and Emergency Plan				
Section 1	General Provisions	1/7/72	05/31/72, 37 FR 10842.	
Section 2	Stages and Criteria	3/29/88	04/06/94, 59 FR 16140.	
Section 3	Required Actions	1/7/72	05/31/72, 37 FR 10842	Delaware removed the word "standby" from Table III, section 3B, effective 5/28/74, but did not submit as a SIP revision.
Section 4	Standby Plans	1/7/72	05/31/72, 37 FR 10842.	
Regulation No. 16 Sources Having an Interstate Air Pollution Potential				
Section 1	General Provisions	1/7/72	05/31/72, 37 FR 10842	Delaware revised provision effective 5/28/74, but did not submit as a SIP revision.
Section 2	Limitations	1/7/72	05/31/72, 37 FR 10842.	
Section 3	Requirements	1/7/72	05/31/72, 37 FR 10842.	
Regulation No. 17 Source Monitoring, Recordkeeping and Reporting				
Section 1	Definitions and Administrative Principles.	1/11/93	02/28/96, 61 FR 7453.	
Section 2	Sampling and Monitoring	7/17/84	07/02/85, 50 FR 27244	Former SIP Sections 1 through 5 respectively; citation revised 2/28/96, 62 FR 7453.
Section 3	Minimum Emission Monitoring Requirements for Existing Sources.	1/10/77	8/25/81, 46 FR 43150.	
Section 4	Performance Specifications	1/11/93	9/9/99, 64 FR 48961.	
Section 5	Minimum Data Requirements	1/10/77	8/25/81, 46 FR 43150.	
Section 6	Data Reduction	1/11/93	9/9/99, 64 FR 48961.	
Section 7	Emission Statement	1/11/93	02/28/96, 61 FR 7453.	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Regulation No. 23 Standards of Performance for Steel Plants: Electric Arc Furnaces				
Section 1	Applicability	12/2/77	07/30/79, 44 FR 44497	Correction published 8/20/80, 45 FR 55422.
Section 2	Definitions	04/18/83	09/21/83, 49 FR 39061.	
Section 3	Standard for Particulate Matter	04/18/83	09/21/83, 49 FR 39061.	
Section 4	Monitoring of Operations	12/2/77	07/30/79, 44 FR 44497	Correction published 8/20/80, 45 FR 55422.
Section 5	Test Methods and Procedures	12/2/77	07/30/79, 44 FR 44497	Correction published 8/20/80, 45 FR 55422.
Regulation No. 1124 Control of Volatile Organic Compound Emissions (Formerly Regulation No. 24)				
Section 1	General Provisions	1/11/93	5/3/95, 60 FR 21707.	
Section 2	Definitions	1/11/02	11/14/03, 68 FR 64540.	
Section 3	Applicability	1/11/93	5/3/95, 60 FR 21707.	
Section 4	Compliance Certification, Record-keeping, and Reporting Requirements for Coating Sources.	11/29/94	01/26/96, 61 FR 2419.	
Section 5	Compliance Certification, Record-keeping, and Reporting Requirements for Non-Coating Sources.	1/11/93	5/3/95, 60 FR 21707.	
Section 6	General Recordkeeping	1/11/93	5/3/95, 60 FR 21707.	
Section 7	Circumvention	1/11/93	5/3/95, 60 FR 21707.	
Section 8	Handling, Storage, and Disposal of Volatile Organic Compounds (VOCs).	11/29/94	01/26/96, 61 FR 2419.	
Section 9	Compliance, Permits, Enforceability ..	1/11/93	5/3/95, 60 FR 21707.	
Section 10	Aerospace Coatings	2/11/03	3/24/04, 69 FR 13737.	
Section 11	Mobile Equipment Repair and Refinishing.	11/11/01	11/22/02, 67 FR 70315.	
Section 12	Surface Coating of Plastic Parts	11/29/94	01/26/96, 61 FR 2419.	
Section 13	Automobile and Light-Duty Truck Coating Operations.	1/11/93	5/3/95, 60 FR 21707.	
Section 14	Can Coating	1/11/93	5/3/95, 60 FR 21707.	
Section 15	Coil Coating	1/11/93	5/3/95, 60 FR 21707.	
Section 16	Paper Coating	1/11/93	5/3/95, 60 FR 21707.	
Section 17	Fabric Coating	1/11/93	5/3/95, 60 FR 21707.	
Section 18	Vinyl Coating	1/11/93	5/3/95, 60 FR 21707.	
Section 19	Coating of Metal Furniture	1/11/93	5/3/95, 60 FR 21707.	
Section 20	Coating of Large Appliances	1/11/93	5/3/95, 60 FR 21707.	
Section 21	Coating of Magnet Wire	11/29/94	01/26/96, 61 FR 2419.	
Section 22	Coating of Miscellaneous Metal Parts	1/11/93	5/3/95, 60 FR 21707.	
Section 23	Coating of Flat Wood Panelling	1/11/93	5/3/95, 60 FR 21707.	
Section 24	Bulk Gasoline Plants	1/11/93	5/3/95, 60 FR 21707.	
Section 25	Bulk Gasoline Terminals	11/29/94	01/26/96, 61 FR 2419.	
Section 26	Gasoline Dispensing Facility—Stage I Vapor Recovery.	1/11/02	11/14/03, 68 FR 64540.	
Section 27	Gasoline Tank Trucks	1/11/93	5/3/95, 60 FR 21707.	
Section 28	Petroleum Refinery Sources	1/11/93	5/3/95, 60 FR 21707.	
Section 29	Leaks from Petroleum Refinery Equipment.	11/29/94	01/26/96, 61 FR 2419.	
Section 30	Petroleum Liquid Storage in External Floating Roof Tanks.	11/29/94	01/26/96, 61 FR 2419.	
Section 31	Petroleum Liquid Storage in Fixed Roof Tanks.	11/29/94	01/26/96, 61 FR 2419.	
Section 32	Leaks from Natural Gas/Gasoline Processing Equipment.	11/29/94	01/26/96, 61 FR 2419.	
Section 33	Solvent Metal Cleaning and Drying ...	11/11/01	11/22/02, 67 FR 70315.	
Section 34	Cutback and Emulsified Asphalt	1/11/93	5/3/95, 60 FR 21707.	
Section 35	Manufacture of Synthesized Pharmaceutical Products.	11/29/94	01/26/96, 61 FR 2419.	
Section 36	Stage II Vapor Recovery	1/11/02	11/14/03, 65 FR 64540.	
Section 37	Graphic Arts Systems	11/29/94	01/26/96, 61 FR 2419.	
Section 38	Petroleum Solvent Dry Cleaners	1/11/93	5/3/95, 60 FR 21707.	
Section 39	Perchloroethylene Dry Cleaning	1/11/93	5/3/95, 60 FR 21707.	
Section 40	Leaks from Synthetic Organic Chemical, Polymer, and Resin Manufacturing Equipment.	1/11/93	5/3/95, 60 FR 21707.	
Section 41	Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins.	1/11/93	5/3/95, 60 FR 21707.	

Environmental Protection Agency

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EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 42	Air Oxidation Processes in the Synthetic Organic Chemical Manufacturing Industry.	1/11/93	5/3/95, 60 FR 21707.	
Section 43	Bulk Gasoline Marine Tank Vessel Loading Facilities.	11/29/94	01/26/96, 61 FR 2419.	
Section 44	Batch Processing Operations	11/29/94	01/26/96, 61 FR 2419.	
Section 45	Industrial Cleaning Solvents	11/29/94	01/26/96, 61 FR 2419.	
Section 46	Crude Oil Lightering Operations	05/11/07	9/13/07, 72 FR 52285	SIP effective date is 10/15/07.
Section 47	Offset Lithographic Printing	11/29/94	05/14/97, 62 FR 26399.	
Section 48	Reactor Processes and Distillation Operations in the Synthetic Organic Chemical Manufacturing Industry.	11/29/94	01/26/96, 61 FR 2419.	
Section 49	Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels.	11/29/94	01/26/96, 61 FR 2419.	
Section 50	Other Facilities that Emit Volatile Organic Compounds (VOCs).	11/29/94	03/12/97, 62 FR 11329	EPA effective date for Sections 50(a)(5) and 50(b)(3) is 5/1/98.
Appendix "A"	Test Methods and Compliance Procedures: General Provisions.	11/29/94	01/26/96, 61 FR 2419.	
Appendix "B"	Test Methods and Compliance Procedures: Determining the Volatile Organic Compound (VOC) Content of Coatings and Inks.	1/11/93	5/3/95, 60 FR 21707.	
Appendix "C"	Test Methods and Compliance Procedures: Alternative Compliance Methods for Surface Coating.	1/11/93	5/3/95, 60 FR 21707.	
Appendix "D"	Test Methods and Compliance Procedures: Emission Capture and Destruction or Removal Efficiency and Monitoring Requirements.	11/29/94	01/26/96, 61 FR 2419.	
Appendix "E"	Test Methods and Compliance Procedures: Determining the Destruction or Removal Efficiency of a Control Device.	1/11/93	5/3/95, 60 FR 21707.	
Appendix "F"	Test Methods and Compliance Procedures: Leak Detection Methods for Volatile Organic Compounds (VOCs).	1/11/93	5/3/95, 60 FR 21707.	
Appendix "G"	Performance Specifications for Continuous Emissions Monitoring of Total Hydrocarbons.	1/11/93	5/3/95, 60 FR 21707.	
Appendix "H"	Quality Control Procedures for Continuous Emission Monitoring Systems (CEMS).	1/11/93	5/3/95, 60 FR 21707.	
Appendix "I"	Method to Determine Length of Rolling Period for Liquid—Liquid Material Balance Method.	11/29/94	01/26/96, 61 FR 2419.	
Appendix "J"	Procedures for Implementation of Regulation Nos. Covering Stage II Vapor Recovery Systems for Gasoline Dispensing Facilities.	1/11/93	6/10/94, 59 FR 29956.	
Appendix "J1"	Certified Stage II Vapor Recovery Systems.	1/11/93	6/10/94, 59 FR 29956.	
Appendix "J2"	Pressure Decay/Leak Test Procedure for Verification of Proper Functioning of Stage I & Stage II Vapor Recovery Equipment.	1/11/93	6/10/94, 59 FR 29956.	
Appendix "J3"	Dynamic Backpressure (Dry) Test and Liquid Blockage (Wet) Test Procedure for Verification of Proper Functioning of Stage II Vapor Balance Recovery Systems.	1/11/93	6/10/94, 59 FR 29956.	
Appendix "K"	Emission Estimation Methodologies ..	11/29/94	01/26/96, 61 FR 2419.	
Appendix "L"	Method to Determine Total Organic Carbon for Offset Lithographic Solutions.	11/29/94	01/26/96, 61 FR 2419.	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Appendix "M"	Test Method for Determining the Performance of Alternative Cleaning Fluids.	11/29/94	01/26/96, 61 FR 2419.	
Regulation No. 25 Requirements for Preconstruction Review				
Section 1	General Provisions	1/1/93 (As Revised 5/1/99)	2/7/01, 66 FR 9211	Excluding §§ 1.2, 1.6, 1.9(L), 1.9(M), 1.9(N), 1.9(O), which relate to Prevention of Significant Deterioration.
Section 2	Emission Offset Provisions (EOP)	1/1/93 (As Revised 5/1/99)	2/7/01, 66 FR 9211.	
Section 3	Prevention of Significant Deterioration of Air Quality.	5/15/90	7/27/93, 58 FR 40065.	
Regulation No. 26 Motor Vehicle Emissions Inspection Program				
Section 1	Applicability and Definitions	2/12/01	11/27/03, 68 FR 66343	Regulation No. 26 provisions apply to Sussex County only, effective November 1, 1999.
Section 2	General Provisions	2/12/01	11/27/03, 68 FR 66343.	
Section 3	Registration Requirement	5/9/85	12/08/86, 51 FR 44068.	
Section 4	Exemptions	2/12/01	11/27/03, 68 FR 66343.	
Section 5	Enforcement	7/6/82	10/17/83, 48 FR 46986	
Section 6	Compliance, Waivers, Extensions of Time.	2/12/01	11/27/03, 68 FR 66343.	
Section 7	Inspection Facility Requirements	7/6/82	10/17/83, 48 FR 46986.	
Section 8	Certification of Motor Vehicle Officers	7/6/82	10/17/83, 48 FR 46986.	
Section 9	Calibration and Test Procedures and Approved Equipment.	2/12/01	11/27/03, 68 FR 66343.	
Technical Memorandum 1.	Delaware Division of Motor Vehicles Vehicle Exhaust Emissions Test.	2/12/01	1/27/03, 68 FR 66343.	
Regulation No. 27 Stack Heights				
Section 1	General Provisions	4/18/83	09/21/83, 48 FR 42979.	
Section 2	Definitions Specific to this Regulation No.	12/7/88	6/29/90, 55 FR 26689.	
Section 3	Requirements for Existing and New Sources.	2/18/87	06/29/90, 55 FR 26689.	
Section 4	Public Notification	2/18/87	06/29/90, 55 FR 26689.	
Regulation No. 31 Low Enhanced Inspection and Maintenance Program				
Section 1	Applicability	10/11/01	11/27/03, 68 FR 66343.	
Section 2	Low Enhanced I/M Performance Standard.	10/11/01	1/27/03, 68 FR 66343.	
Section 3	Network Type and Program Evaluation.	10/11/01	11/27/03, 68 FR 66343.	
Section 4	Test Frequency and Convenience	6/11/99	9/30/99, 64 FR 52657.	
Section 5	Vehicle Coverage	10/11/01	1/27/03, 68 FR 66343.	
Section 6	Test Procedures and Standards	10/11/01	11/27/03, 68 FR 66343.	
Section 7	Waivers and Compliance via Diagnostic Inspection.	10/11/01	11/27/03, 68 FR 66343.	
Section 8	Motorist Compliance Enforcement	10/11/01	11/27/03, 68 FR 66343.	
Section 9	Enforcement Against Operators and Motor Vehicle Technicians.	10/11/01	11/27/03, 68 FR 66343.	
Section 10	Improving Repair Effectiveness	8/13/98	9/30/99, 64 FR 52657.	
Section 11	Compliance with Recall Notices	8/13/98	9/30/99, 64 FR 52657.	
Section 12	On-Road Testing	8/13/98	9/30/99, 64 FR 52657.	
Section 13	Implementation Deadlines	10/11/01	11/27/03, 68 FR 66343.	
Appendix 1(d)	Commitment to Extend the I/M Program to the Attainment Date From Secretary Tulou to EPA Administrator W. Michael McCabe.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 3(a)(7)	Exhaust Emission Limits According to Model Year.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 3(c)(2)	VMASTM Test Procedure	6/11/99	9/30/99, 64 FR 52657.	
Appendix 4(a)	Sections from Delaware Criminal and Traffic Law Manual.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 5(a)	Division of Motor Vehicles Policy on Out of State Renewals.	8/13/98	9/30/99, 64 FR 52657.	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Appendix 5(f)	New Model Year Clean Screen	10/11/01	11/27/03, 68 FR 66343.	
Appendix 6(a)	Idle Test Procedure	10/11/01	1/27/03, 68 FR 66343.	
Appendix 6(a)(5)	Vehicle Emission Repair Report Form.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 6(a)(8)	Evaporative System Integrity (Pressure) Test.	10/11/01	11/27/03, 68 FR 66343.	
Appendix 6(a)(9)	On-board Diagnostic Test Procedure, OBD II Test Procedure.	10/11/01	11/27/03, 68 FR 66343.	
Appendix 7(a)	Emission Repair Technician Certification Process.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 8(a)	Registration Denial System Requirements Definition.	8/13/98	9/30/99, 64 FR 52657.	
Appendix 9(a)	Enforcement Against Operators and Inspectors.	10/11/01	11/27/03, 68 FR 66343.	
Regulation No. 1132 Transportation Conformity				
Section 1	Purpose	11/11/07	4/22/08, 73 FR 21538	Added Section.
Section 2	Definitions	11/11/07	4/22/08, 73 FR 21538	Added Section.
Section 3	Consultation	11/11/07	4/22/08, 73 FR 21538	Added Section.
Section 4	Written Commitments, for Control and, Mitigation Measures.	11/11/07	4/22/08, 73 FR 21538	Added Section.
Regulation No. 35 Conformity of General Federal Actions to the State Implementation Plans				
Section 1	Purpose	8/14/96	7/15/97, 62 FR 37722.	
Section 2	Definitions	8/14/96	07/15/97, 62 FR 37722.	
Section 3	Applicability	8/14/96	07/15/97, 62 FR 37722.	
Section 4	Conformity Analysis	8/14/96	07/15/97, 62 FR 37722.	
Section 5	Reporting Requirements	8/14/96	07/15/97, 62 FR 37722.	
Section 6	Public Participation and Consultation	8/14/96	07/15/97, 62 FR 37722.	
Section 7	Frequency of Conformity Determinations.	8/14/96	07/15/97, 62 FR 37722.	
Section 8	Criteria for Determining Conformity of General Federal Actions.	8/14/96	07/15/97, 62 FR 37722.	
Section 9	Procedures for Conformity Determinations of General Federal Actions.	8/14/96	07/15/97, 62 FR 37722.	
Section 10	Mitigation of Air Quality Impacts	8/14/96	07/15/97, 62 FR 37722.	
Section 11	Savings Provision	8/14/96	07/15/97, 62 FR 37722.	
Regulation No. 37 NO_x Budget Program				
Section 1	General Provisions	12/11/99	3/9/00, 65 FR 12481.	
Section 2	Applicability	12/11/99	3/9/00, 65 FR 12481.	
Section 3	Definitions	12/11/99	3/9/00, 65 FR 12481.	
Section 4	Allowance Allocation	12/11/99	3/9/00, 65 FR 12481.	
Section 5	Permits	12/11/99	3/9/00, 65 FR 12481.	
Section 6	Establishment of Compliance Accounts.	12/11/99	3/9/00, 65 FR 12481.	
Section 7	Establishment of General Accounts ..	12/11/99	3/9/00, 65 FR 12481.	
Section 8	Opt In Provisions	12/11/99	3/9/00, 65 FR 12481.	
Section 9	New Budget Source Provisions	12/11/99	3/9/00, 65 FR 12481.	
Section 10	NO _x Allowance Tracking System (NATS).	12/11/99	3/9/00, 65 FR 12481.	
Section 11	Allowance Transfer	12/11/99	3/9/00, 65 FR 12481.	
Section 12	Allowance Banking	12/11/99	3/9/00, 65 FR 12481.	
Section 13	Emission Monitoring	12/11/99	3/9/00, 65 FR 12481.	
Section 14	Recordkeeping	12/11/99	3/9/00, 65 FR 12481.	
Section 15	Emissions Reporting	12/11/99	3/9/00, 65 FR 12481.	
Section 16	End-of-Season Reconciliation	12/11/99	3/9/00, 65 FR 12481.	
Section 17	Compliance Certification	12/11/99	3/9/00, 65 FR 12481.	
Section 18	Failure to Meet Compliance Requirements.	12/11/99	3/9/00, 65 FR 12481.	
Section 19	Program Audit	12/11/99	3/9/00, 65 FR 12481.	
Section 20	Program Fees	12/11/99	3/9/00, 65 FR 12481.	
Appendix "A"	NO _x Budget Program	12/11/99	3/9/00, 65 FR 12481.	
Regulation No. 39 Nitrogen Oxides (NO_x) Budget Trading Program				
Section 1	Purpose	12/11/00	5/17/01, 66 FR 27459.	
Section 2	Emission Limitation	12/11/00	5/17/01, 66 FR 27459.	

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 3	Applicability	12/11/00	5/17/01, 66 FR 27459.	
Section 4	Definitions	12/11/00	5/17/01, 66 FR 27459.	
Section 5	General Provisions	12/11/00	5/17/01, 66 FR 27459.	
Section 6	NO _x Authorized Account Representative for NO _x Budget Sources.	12/11/00	5/17/01, 66 FR 27459.	
Section 7	Permits	12/11/00	5/17/01, 66 FR 27459.	
Section 8	Monitoring and Reporting	12/11/00	5/17/01, 66 FR 27459.	
Section 9	NATS	12/11/00	5/17/01, 66 FR 27459.	
Section 10	NO _x Allowance Transfers	12/11/00	5/17/01, 66 FR 27459.	
Section 11	Compliance Certification	12/11/00	5/17/01, 66 FR 27459.	
Section 12	End-of-Season Reconciliation	12/11/00	5/17/01, 66 FR 27459.	
Section 13	Failure to Meet Compliance, Requirements.	12/11/00	5/17/01, 66 FR 27459.	
Section 14	Individual Unit Opt-Ins	12/11/00	5/17/01, 66 FR 27459.	
Section 15	General Accounts	12/11/00	5/17/01, 66 FR 27459.	
Appendix "A"	Allowance Allocations to NO _x Budget Units Under Section 3(a)(1)(i) and 3(a)(1)(ii) of Regulation No. 39.	12/11/00	5/17/01, 66 FR 27459.	
Appendix "B"	Regulation No. 37—Regulation No. 39 Program Transition.	12/11/00	5/17/01, 66 FR 27459.	
Regulation No. 40 Delaware's National Low Emission Vehicle (NLEV) Regulation				
Section 1	Applicability	10/11/99	12/28/99, 64 FR 72564	Issued on September 1,
Section 2	Definitions	10/11/99	12/28/99, 64 FR 72564.	1999 by Secretary's
Section 3	Program Participation	10/11/99	12/28/99, 64 FR 72564.	Order No. 99–A–0046.
Regulation No. 41 Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products				
Section 1	Architectural and Industrial Maintenance Coatings.	03/11/02	11/22/02, 67 FR 70315.	
Section 2	Commercial Products	01/11/02	11/22/02, 67 FR 70315.	
Section 3	Portable Fuel Containers	11/11/01	11/22/02, 67 FR 70315.	
Regulation No. 42 Specific Emission Control Requirements				
Section 1	Control of NO _x Emissions from Industrial Boilers.	12/11/01	11/22/02, 67 FR 70315.	
Regulation No. 1144 Control of Stationary Generator Emissions				
Section 1.0	General	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 2.0	Definitions	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 3.0	Emissions	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 4.0	Operating Requirements	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 5.0	Fuel Requirements	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 6.0	Recordkeeping and Reporting	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 7.0	Emissions Certification, Compliance, and Enforcement.	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 8.0	Credit for Concurrent Emissions Reductions.	01/11/06	4/29/08, 73 FR 23101	Added Section.
Section 9.0	DVFA Member Companies	01/11/06	4/29/08, 73 FR 23101	Added Section.
Regulation No. 1146 Electric Generating Unit (EGU) Multi-Pollutant Regulation No.				
Section 1.0	Preamble	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.
Section 2.0	Applicability	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.
Section 3.0	Definitions	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.
Section 4.0	NO _x Emissions Limitations	12/11/06	8/28/08, 73 FR 50723.	
Section 5.0	SO ₂ Emissions Limitations	12/11/06	8/28/08, 73 FR 50723.	
Section 7.0	Recordkeeping and Reporting	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.
Section 8.0	Compliance Plan	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP—Continued

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
Section 9.0	Penalties	12/11/06	8/28/08, 73 FR 50723	Except for provisions pertaining to mercury emissions.
Table I	Annual NO _x Mass Emissions Limits	12/11/06	8/28/08, 73 FR 50723.	
Table 5-1 (Formerly Table II).	Annual SO ₂ Mass Emissions Limit	9/11/08 10/10/09	3/16/10, 75 FR 12449	Modified emissions limit for Conectiv Edge Moor Unit 5.

Regulation No. 1148 Control of Stationary Combustion Turbine Electric Generating Unit Emissions

Section 1.0	Purpose	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 2.0	Applicability	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 3.0	Definitions	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 4.0	NO _x Emissions Limitations	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 5.0	Monitoring and Reporting	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 6.0	Recordkeeping	7/11/07	11/10/08, 73 FR 66554	New Section.
Section 7.0	Penalties	7/11/07	11/10/08, 73 FR 66554	New Section.

Regulation 45 Excessive Idling of Heavy Duty Vehicles

Section 1	Applicability	4/11/05	10/08/09, 74 FR 51792.	
Section 2	Definitions	4/11/05	10/08/09, 74 FR 51792.	
Section 3	Severability	4/11/05	10/08/09, 74 FR 51792.	
Section 4	Operational Requirements for Heavy Duty Motor Vehicles.	4/11/05	10/08/09, 74 FR 51792.	
Section 5	Exemptions	4/11/05	10/08/09, 74 FR 51792.	
Section 6	Enforcement and Penalty	4/11/05	10/08/09, 74 FR 51792.	

(d) EPA-approved State source-specific requirements.

EPA-APPROVED DELAWARE SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit No.	State effective date	EPA approval date	Additional explanation
Getty Oil Co	75-A-4	8/5/75	3/7/79, 44 FR 12423	52.420(c)(11).
Phoenix Steel Co.—Electric Arc Furnaces Charging & Tapping #2.	77-A-8	12/2/77	7/30/79, 44 FR 25223	52.420(c)(12).
Delmarva Power & Light—Indian River.	89-A-7/APC 89/197	2/15/89	1/22/90, 55 FR 2067	52.420(c)(38).
SPI Polyols, Inc.	Secretary's Order No. 2000-A-0033.	7/11/00	6/14/01, 66 FR 32231	Polyhydrate Alcohol's Catalyst Regenerative Process—Approved NO _x RACT Determination.
Citisteel	Secretary's Order No. 2000-A-0033.	7/11/00	6/14/01, 66 FR 32231	Electric Arc Furnace—Approved NO _x RACT Determination.
General Chemical Corp	Secretary's Order No. 2000-A-0033.	7/11/00	6/14/01, 66 FR 32231	(1) Sulfuric Acid Process & Interstage Absorption System. (2) Metallic Nitrite Process—Approved NO _x RACT Determinations.

(e) EPA-approved non-regulatory and quasi-regulatory material.

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Commitment to adopt a clean fuel fleet program.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	2/26/93	9/29/93, 58 FR 50846	52.422(b).
1990 Base Year Emissions Inventory.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	5/27/94	1/24/96, 61 FR 1838	52.423, VOC, CO, NO _x .
15% Rate of Progress Plan.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	2/17/95	10/12/99, 64 FR 55139	52.426(a).
Post-1996 Rate of Progress Plan & contingency measures.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	12/29/97, 6/17/99, 2/3/00, 12/20/00.	10/29/01, 66 FR 54598	52.426(b).

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Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Ozone Attainment Plan Demonstration & enforceable commitments.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	5/22/98, 10/8/98, 1/24/00, 12/20/00, 10/9/01, 10/29/01.	10/29/0, 66 FR 54598	52.426(c).
Mobile budgets	Kent & New Castle Counties	9/2/03 1/5/98 (rec'd); 5/28/98 (rec'd); 2/3/00, 12/20/00.	12/5/03, 68 FR 67948 10/29/01, 66 FR 54598 ..	52.426(d), (e).
Photochemical Assessment Monitoring Stations (PAMS) Program.	Philadelphia-Wilmington-Trenton Ozone Nonattainment Area.	9/2/03 3/24/94	12/5/03, 68 FR 67948 9/11/95, 60 FR 47081	52.430.
Small Business stationary source technical and environmental compliance assistance program.	Statewide	5/16/95	5/17/94, 59 FR 25771	52.460.
Commitment to establish an ambient air quality monitoring network.	Statewide	3/19/80	5/15/81, 46 FR 26767	52.465(c)(15).
Commitment to use available grants and funds to provide for basic transportation needs.	New Castle County	8/15/79	9/30/81, 46 FR 47777	52.465(c)(19).
Executive order pertaining to financial disclosures by State officials [CAA Section 128].	Statewide	8/7/78	9/29/81, 46 FR 47544	52.465(c)(22).
Lead (Pb) SIP	Statewide	12/23/80	9/10/81, 46 FR 45160	52.465(c)(24).
Procedures to notify EPA of PSD sources locating within 100 km of a Class I PSD area.	Statewide	2/27/81	3/15/82, 47 FR 11014	52.465(c)(29).
RACT under the 8-Hour NAAQS.	Delaware (Statewide)	10/2/06	7/23/08, 73 FR 42681	
Reasonable Further Progress Plan (RFP), Reasonably Available Control Measures, and Contingency Measures.	Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area.	6/13/07	4/8/10, 75 FR 17863.	
2002 Base Year Inventory for VOC, NO _x , and CO.	Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area.	6/13/07	4/8/10, 75 FR 17863.	
2008 RFP Transportation Conformity Budgets.	Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area.	6/13/07	4/8/10, 75 FR 17863	

[63 FR 67410, Dec. 7, 1998]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.420, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 75 FR 31712, June 4, 2010, § 52.420(c) was amended in the table by removing the title entry for Regulation No. 42—Specific Emission Control Requirements and adding in its place a title entry for Regulation 1142; and by adding an entry for Section 2.0., effective July 6, 2010. At 75 FR 32858, June 10, 2010, the table in the amendment at 75 FR 31712, June 4, 2010, was corrected to read as set forth below, effective July 6, 2010. For the convenience of the user, the added and revised text is set forth as follows:

§ 52.420 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED REGULATIONS IN THE DELAWARE SIP

State citation	Title/subject	State effective date	EPA approval date	Additional explanation
* * * * *				
Regulation 1142—Specific Emission Control Requirements (Formerly Regulation No. 42)				
* * * * *				
Section 2.0	Specific Emission Control Requirements.	11/11/09	6/4/10 75 FR 31711	Emission limitations for any industrial boiler or process heater with a maximum heat input capacity of equal to or greater than 200 mmBTU/hr.
* * * * *				

§ 52.421 Classification of regions.

The Delaware plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Metropolitan Philadelphia Interstate	I	I	III	I	I
Southern Delaware Intrastate	III	III	III	III	III

[37 FR 10856, May 31, 1972, as amended at 39 FR 16345, May 8, 1974]

§ 52.422 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves Delaware’s plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan satisfies all requirements of part D, title 1, of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980, for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

(b) Letter of February 26, 1993, from the Delaware Department of Natural Resources and Environmental Control transmitting a commitment to adopt either the Federal clean fuel fleet pro-

gram or an alternative substitute program by May 15, 1994.

[45 FR 14558, Mar. 6, 1980, as amended at 58 FR 50848, Sept. 29, 1993]

§ 52.423 1990 Base Year Emission Inventory.

EPA approves as a revision to the Delaware State Implementation Plan the 1990 base year emission inventories for the Delaware ozone nonattainment areas submitted by the Secretary of the Department of Natural Resources and Environmental Control on May 27, 1994. This submittal consists of the 1990 base year point, area, non-road mobile, biogenic and on-road mobile source emission inventories in area for the following pollutants: volatile organic compounds (VOC), carbon monoxide (CO), and oxides of nitrogen (NO_x).

(a) [Reserved]

(b) EPA approves as a revision to the Delaware State Implementation Plan the 2002 base year emissions inventories for the Delaware portion of the Philadelphia 1997 8-hour ozone moderate nonattainment area submitted by the Secretary of the Department of Natural Resources and Environmental