Environmental Protection Agency

§ 52.2059  Control strategy: Particulate matter.

(a) Pennsylvania has committed to undertake a comprehensive program to investigate non-traditional sources, industrial process fugitive particulate emissions, alternative control measures, and to develop and implement an effective control program to attain the primary and secondary NAAQS for particulates. The schedule for this study is as follows:

quarterly reports will be submitted in October 1977 for the period between July 1, 1977, and September 30, 1977. Copies of all reports will also be forwarded to Region III, EPA.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, 200 North Third Street, Harrisburg, PA 17120, ATTN: Abatement and Compliance Division.

§ 52.2058  Prevention of significant air quality deterioration.

(a) The requirements of sections 160 through 165 of the Clean Air Act are met by the regulations (25 PA Code § 127.81 through 127.83) adopted by the Pennsylvania Environmental Resources on October 28, 1983. All PSD permit applications and requests for modifications thereto should be submitted to: Pennsylvania Department of Environmental Resources, Bureau of Air Quality Control, 200 North Third Street, Harrisburg, PA 17120, ATTN: Abatement and Compliance Division.

Pennsylvania must comply with the requirements of §51.120.

§ 52.2057  Requirements for state implementation plan revisions relating to new motor vehicles.

§ 52.2056  [Reserved]

§ 52.2055  Review of new sources and modifications.

(a) Special permit requirement regulations are approved.

(b) [Reserved]

§§ 52.2039–52.2053  [Reserved]

§ 52.2054  Control of asphalt paving material.

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

(2) No more than 2,615,000 gallons of cutback asphalts shall be used, of which no more than 1,400,000 gallons may be used for dust palliative work on roadways and shoulders; and

(3) No more than 2,500,000 gallons total of emulsion Class E–4 and Class E–5 shall be used unless an equivalent reduction in the use of cutbacks is made to balance the additional hydrocarbon emissions from emulsions.

(b) The Pennsylvania Department of Transportation is required to submit to the Pennsylvania Department of Environmental Resources, on a quarterly basis, reports which list for each of the affected counties the number of gallons of each class of asphalt used. The first quarterly reports will be submitted in October 1977 for the period between July 1, 1977, and September 30, 1977. Copies of all reports will also be forwarded to Region III, EPA.

[42 FR 54417, Oct. 6, 1977]

§ 52.2059  Control strategy: Particulate matter.

(a) Pennsylvania has committed to undertake a comprehensive program to investigate non-traditional sources, industrial process fugitive particulate emissions, alternative control measures, and to develop and implement an effective control program to attain the primary and secondary NAAQS for particulates. The schedule for this study is as follows:


[60 FR 33924, June 29, 1995]

§ 52.2056  [Reserved]

§ 52.2055  Review of new sources and modifications.

(a) Special permit requirement regulations are approved.

(b) [Reserved]

§ 52.2054  Control of asphalt paving material.

(a) Notwithstanding any provisions to the contrary in the Pennsylvania Implementation Plan, the Pennsylvania Department of Transportation shall restrict the annual usage of asphalts to the limits listed below in the following sixteen county area of Pennsylvania: Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Green, Indiana, Jefferson, Lawrence, Mercer, Somerset, Venango, Washington, and Westmoreland Counties:

(1) No more than twenty percent of the total amount of liquid bituminous asphalt paving material used shall be cutback asphalt; and

§ 52.2060 Schedule for Investigating and Controlling Nontraditional Particulate Matter Emissions.

<table>
<thead>
<tr>
<th>Task</th>
<th>Completion date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scheduled tasks:</td>
<td></td>
</tr>
<tr>
<td>1. Quantify nontraditional sources</td>
<td>June 1, 1980</td>
</tr>
<tr>
<td>2. Investigate control techniques</td>
<td>Apr. 1, 1982</td>
</tr>
<tr>
<td>3. Investigate source-receptor relationship</td>
<td>June 1, 1980</td>
</tr>
<tr>
<td>Analysis and control strategy development:</td>
<td></td>
</tr>
<tr>
<td>1. Analyze Nonattainment Areas</td>
<td>July 1, 1981</td>
</tr>
<tr>
<td>2. Develop Control Strategies</td>
<td>Jan. 1, 1982</td>
</tr>
<tr>
<td>3. Develop, Adopt, Submit SIP</td>
<td>July 1, 1982</td>
</tr>
<tr>
<td>4. Implement SIP</td>
<td>Begin – 7/1/82</td>
</tr>
</tbody>
</table>

(b) EPA approves the PM-10 attainment demonstration for the Liberty Borough Area of Allegheny County submitted by the Pennsylvania Department of Environmental Protection on January 6, 1994.

(c) Determination of Attainment. EPA has determined, as of August 23, 2008, the Harrisburg-Lebanon-Carlisle, Pennsylvania nonattainment area for the 1997 PM$_{2.5}$ NAAQS has attained the 1997 PM$_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this area to submit an attainment demonstration and associated reasonably available measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 PM$_{2.5}$ NAAQS.

(d) Determination of Clean Data. EPA has determined, as of September 25, 2009, the Johnstown (Cambria and Indiana Counties), Lancaster (Lancaster County), Reading (Berks County) and York (York County), Pennsylvania nonattainment areas have clean data for the 1997 PM$_{2.5}$ NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for these areas to submit an attainment demonstration, associated reasonably available measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as these areas continue to meet the 1997 PM$_{2.5}$ NAAQS.

§ 52.2061 Operating permits.

(a) Emission limitations and related provisions which are established in Pennsylvania operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the permit, permit approval procedures, or permit requirements which do not conform with the operating permit program requirements or the requirements of EPA’s underlying regulations.

(b) Emission limitations and related provisions which are established in Pennsylvania general operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general permit, general permit approval procedures, or general permit requirements which do not conform with the general operating permit program requirements or the requirements of EPA’s underlying regulations.

[60 FR 1741, Jan. 5, 1995]

§ 52.2062 Plan approvals.

(a) Emission limitations and related provisions which are established in Pennsylvania general operating permits as federally enforceable conditions shall be enforceable by EPA. EPA reserves the right to deem general permit conditions not federally enforceable. Such a determination will be made according to appropriate procedures, and be based upon the general permit, general permit approval procedures, or general permit requirements which do not conform with the general operating permit program requirements or the requirements of EPA’s underlying regulations.

[61 FR 39597, 39601, July 30, 1996]