

Environmental Protection Agency

§ 52.2119

EFFECTIVE DATE NOTE: At 75 FR 31290, June 3, 2010, § 52.2088 was amended by adding paragraph (c), effective July 6, 2010. For the convenience of the user, the added and revised text is set forth as follows:

§ 52.2088 Control strategy: Ozone.

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(c) Determination of Attainment. Effective July 6, 2010, EPA is determining that the Providence (All of Rhode Island) 8-hour ozone nonattainment area has attained the 1997 8-hour ozone standard. Under the provisions of EPA's ozone implementation rule (see 40 CFR 51.918), this determination suspends the reasonable further progress and attainment demonstration requirements of section 182(b)(1) and related requirements of section 172(c)(9) of the Clean Air Act for as long as the area does not monitor any violations of the 1997 8-hour ozone standard. If a violation of the 1997 ozone NAAQS is monitored in the Providence (All of Rhode Island) 8-hour ozone nonattainment area, this determination shall no longer apply.

§ 52.2089 Control strategy: carbon monoxide.

(a) Approval—On September 22, 2008, the Rhode Island Department of Environmental Management submitted a request to establish a limited maintenance plan for the Providence Rhode Island carbon monoxide attainment area for the remainder of the second ten-year maintenance plan. The State of Rhode Island has committed to year round carbon monoxide monitoring at the East Providence Photochemical Assessment Monitoring Station (PAMS) site; re-establishing downtown Providence CO monitoring if criteria specified in the Limited Maintenance Plan are triggered; and, ensuring that project-level carbon monoxide evaluations of transportation projects in the maintenance area are conducted. The limited maintenance plan satisfies all applicable requirements of section 175A of the Clean Air Act. Approval of a limited maintenance plan is conditioned on maintaining levels of ambient carbon monoxide levels below the required limited maintenance plan 8-hour carbon monoxide design value criterion of 7.65 parts per million. If the Limited Maintenance Plan criterion is no longer satisfied, Rhode Island must develop a full maintenance plan to meet Clean Air Act requirements.

(b) [Reserved]

[74 FR 12559, Mar. 25, 2009]

Subpart PP—South Carolina

§ 52.2119 Identification of plan-conditional approval.

EPA is conditionally approving a revision to the South Carolina State Implementation Plan (SIP) consisting of a new Standard (South Carolina Regulation 61–62.5 Standard No. 7.1). Based upon a commitment from the State, South Carolina must:

(a) Revise the Nonattainment New Source Review (NNSR) program to include a provision that emission reductions must be surplus and are not to be used as offsets if they are otherwise required by the SIP, New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants including the Maximum Achievable Control Technology standards, or other federal requirements and submit to EPA a SIP revision with the revised rule;

(b) Revise the State NNSR program to include a methodology for calculating offsets, and submit to EPA a SIP revision with the revised rule; and

(c) Utilize the provisions of 40 CFR part 51, Appendix S to supplement its NNSR program until South Carolina's NNSR program is approved by EPA. If the State fails to meet its commitment by June 2, 2009 the approval is treated as a disapproval. Also, EPA is disapproving two provisions of South Carolina's NNSR program (submitted on July 1, 2005) that relate to provisions that were vacated from the federal program by the United States Court of Appeals for the District of Columbia Circuit on June 24, 2005. The two provisions vacated from the federal rules pertain to Pollution Control Projects (PCPs) and clean units. The PCP and clean unit references are severable from the remainder of the NNSR program. Specifically, the following sections of South Carolina Regulation 61–62.5 Standard No. 7.1 are being disapproved: (b)(5); (b)(6)—Second sentence only; (b)(8); (c)(4); (c)(6)(C)(viii); (c)(8)(C)(iii); (c)(8)(E)(v); (c)(10); (d)(1)(C)(ix); (d)(1)(C)(x); (d)(3)—Only the reference to the term “clean unit” is being disapproved. The remainder of

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this regulatory provision is being approved; (d)(4)—Only the reference to the term “clean unit” is being disapproved. The remainder of this regulatory provision is being approved; (f); (g) and (h).

[73 FR 31371, June 2, 2008]

§ 52.2120 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan (SIP) for South Carolina under section 110 of the Clean Air Act, 42 U.S.C. 7401–7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.*

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to July 1, 1997 was approved 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 is 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 after July 1, 1997, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of July 1, 1997.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the EPA, Air and Radiation Docket and Information Center, Air Docket (6102), 401 M St., SW., Washington, DC 20460 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.*

AIR POLLUTION CONTROL REGULATIONS FOR SOUTH CAROLINA

State citation	Title/subject	State effective date	EPA approval date	Federal register notice
Regulation No. 62.1 Definitions and General Requirements				
Regulation No. 62.1	Definitions and General Requirements	6/26/98	8/10/04	69 FR 48395.
Section I	Definitions	08/26/2005	12/07/2006	71 FR 70880
Section II	Permit Requirements	06/24/05	06/02/08	73 FR 31371.
Section III	Emissions Inventory	02/25/2005	12/07/2006	71 FR 70880
Section IV	Source Tests	6/27/03	8/10/04	69 FR 48395.
Section V	Credible Evidence	7/27/01	1/13/03	67 FR 68767.
Regulation No. 62.2 Prohibition of Open Burning				
Regulation No. 62.2	6/25/04	8/26/05	70 FR	50195.
Regulation No. 62.3 Air Pollution Episodes				
Section I	Episode Criteria	10/26/01	5/7/02	67 FR 30596.
Section II	Emissions Reduction Requirements	4/29/88	10/03/89	54 FR 40662.
Regulation No. 62.4 Hazardous Air Pollution Conditions				
		12/20/78	1/29/80	45 FR 6572.
Regulation No. 62.5 Air Pollution Control Standards				
Standard No. 5.2	Control of Oxides of Nitrogen (NO _x)	6/25/04	8/26/05	70 FR 50195.
Standard No. 1 Emissions from Fuel Burning Operations				
Section I	Visible Emissions	10/26/01	5/7/02	67 FR 30596.
Section II	Particulate Emissions	4/29/88	10/03/89	54 FR 40662.
Section III	Sulfur Dioxide Emissions	3/03/83	10/29/84	49 FR 43469.
Section IV	Opacity Monitoring Requirements	3/16/89	7/02/90	55 FR 27226.
Section V	Exemptions	6/05/85	10/03/89	54 FR 40660
Section VI	Periodic Testing	6/26/98	8/10/04	69 FR 48395.
Section VII	Reserved.			