Environmental Protection Agency

State implementation plan and are applicable to proposed major stationary sources or major modifications to be located on Indian reservations.

§ 52.2179 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 part of the applicable plan for the State of South Dakota.

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

§ 52.2180 Stack height regulations.

The State of South Dakota has committed to revise its stack height regulations should EPA complete rulemaking to respond to the decision in NRDC v. Thomas, 838 F.2d 1224 (DC Cir. 1988). In a letter to Douglas M. Skie, EPA, dated May 11, 1988, Joel C. Smith, Administrator, Office of Air Quality and Solid Waste, stated:

"* * * We are submitting this letter to allow EPA to continue to process our current SIP submittal with the understanding that if EPA’s response to the NRDC remand modifies the July 8, 1985 regulations, EPA will notify the State of the rules that must be changed to comport with the EPA’s modified requirements. The State of South Dakota agrees to make the appropriate changes.""opoly

[53 FR 34079, Sept. 2, 1988]

§ 52.2181 [Reserved]

§ 52.2182 PM10 Committal SIP.

On July 12, 1988, the State submitted a Committal SIP for the Rapid City Group II PM10 area, as required by the PM10 implementation policy. The SIP commits the State to continue to mon-