

## § 52.2588

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 complete 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)(1) The owner and operator of each NO<sub>x</sub> source located within the State of Wisconsin and for which requirements are set forth under the Federal CAIR NO<sub>x</sub> Ozone Season Trading Program in subparts AAAA through IIII 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 Wisconsin State Implementation Plan (SIP) as meeting the requirements of CAIR for ozone 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(ee) of this chapter.

(2) Notwithstanding any provisions of paragraph (b)(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> Ozone Season allowances to sources in the State for any years, the provisions of part 97 of this chapter authorizing the Administrator to complete the allocation of CAIR NO<sub>x</sub> Ozone Season 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> Ozone Season allowances for those years.

[72 FR 62356, Nov. 2, 2007]

## § 52.2588 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of sulfur dioxide?

The owner and operator of each SO<sub>2</sub> source located within the State of Wisconsin and for which requirements are set forth under the Federal CAIR SO<sub>2</sub> Trading Program in subparts AAA through III of part 97 of this chapter must comply with such applicable re-

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quirements. 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 Wisconsin State Implementation Plan as meeting the requirements of CAIR for PM<sub>2.5</sub> relating to SO<sub>2</sub> under § 51.124 of this chapter, except to the extent the Administrator's approval is partial or conditional or unless such approval is under § 51.124(r) of this chapter.

[72 FR 62357, Nov. 2, 2007]

## § 52.2589 Wisconsin construction permit permanency revision.

This plan was originally submitted as Wis. Stat. 144.396 by Wisconsin on July 12, 1979 and approved into Wisconsin's SIP on June 25, 1986 (51 FR 23056). Wis. Stat. 144.396 was renumbered Wis. Stat. 285.66 in 1995 Wisconsin Act 227, effective January 1, 1997. On December 8, 2005, Wisconsin submitted for EPA approval into the Wisconsin SIP a revision to Wis. Stats. 285.66(1), as amended in 2005 Wisconsin Act 25, effective July 26, 2005. This revision makes all conditions in Wisconsin's construction permits permanent. EPA has determined that this statutory revision is approvable under the Act.

[71 FR 9936, Feb. 28, 2006]

## Subpart ZZ—Wyoming

### § 52.2620 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for Wyoming 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 or other requirements under the Clean Air Act.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to August 31, 2006 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 submitted by the state to EPA, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries for paragraphs (c) and (d) of this section with EPA approval dates

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after August 31, 2006, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 8 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 August 31, 2006.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agen-

cy, Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129; the Environmental Protection Agency, Air and Radiation Docket and Information Center, Air Docket (6102), 1200 Pennsylvania Ave., NW., Washington, DC 20460; or 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/cfr/abr-locations.html>.

(c) *EPA approved regulations.*

(1) State of Wyoming Regulations

State citation	Title/subject	State adopted and effective date	EPA approval date and citation <sup>1</sup>	Explanations
<b>Chapter 1</b>				
Section 2 .....	Authority .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Definitions .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4 .....	Prevention of significant deterioration	7/27/06, 10/6/06	7/16/08, 73 FR 47050.	
Section 5 .....	Unavoidable Equipment Malfunction ..	11/16/05, 1/30/06	4/16/10, 75 FR 19886.	
Section 6 .....	Credible Evidence .....	10/23/00, 12/8/00	4/16/10, 75 FR 19886.	
<b>Chapter 2</b>				
Section 2 .....	Ambient standards for particulate matter.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Ambient standards for nitrogen oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4 .....	Ambient standards for sulfur oxides ...	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 5 .....	Ambient standards for carbon monoxide.	9/13/99, 10/29/00	7/28/04, 69 FR 44965.	
Section 6 .....	Ambient standards for ozone .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 8 .....	Ambient standards for suspended sulfates.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 10 .....	Ambient standards for lead .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 3</b>				
Section 2 .....	Emission standards for particulate matter.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Emission standards for nitrogen oxides.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4 .....	Emission standards for sulfur oxides	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 5 .....	Emission standards for carbon monoxide.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 6 .....	Emission standards for volatile organic compounds.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 4</b>				
Section 2 .....	Existing sulfuric acid production units	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Existing nitric acid manufacturing plants.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	

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State citation	Title/subject	State adopted and effective date	EPA approval date and citation <sup>1</sup>	Explanations
<b>Chapter 6</b>				
Section 2 .....	Permit requirements for construction, modification, and operation.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 4 .....	Prevention of significant deterioration	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 7</b>				
Section 2 .....	Continuous monitoring requirements for existing sources.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 8</b>				
Section 2 .....	Sweetwater County particulate matter regulations.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Conformity of general federal actions to state implementation plans.	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 9</b>				
Section 2 .....	Visibility .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 10</b>				
Section 2 .....	Open burning restrictions .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
Section 3 .....	Wood waste burners .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 12</b>				
Section 2 .....	Air pollution emergency episodes .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	
<b>Chapter 13</b>				
Section 2 .....	Motor vehicle pollution control .....	9/13/99, 10/29/99	7/28/04, 69 FR 44965.	

<sup>1</sup> In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

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

Name of source	Nature of requirement	State submittal and effective date	EPA approval date and citation <sup>2</sup>	Explanations
FMC Corporation .....	Order containing schedule for compliance, interim requirements, and monitoring and reporting requirements.	1/25/79, 4/25/79 ..	7/2/79, 44 FR 38473.	
Black Hills Power and Light.	Order containing schedule for compliance, interim requirements, and monitoring and reporting requirements.	1/25/79, 4/25/79 ..	7/2/79, 44 FR 38473.	

<sup>2</sup> In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

(e) *EPA-approved nonregulatory provisions.*

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Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation <sup>3</sup>	Explanations
I. Implementation Plan for the State of Wyoming I. Introduction II. Legal Authority III. Control Strategy IV. Compliance Schedule V. Emergency Plan VI. Air Quality Surveillance VII. Review of New Sources and Modifications VIII. Source Surveillance IX. Resources X. Intergovernmental Cooperation IX. Reports and Revisions Appendices	Statewide .....	Submitted: 1/28/72, Adopted: 1/22/72, Additional letters submitted on 3/28/72 and 5/3/72.	5/31/72, 37 FR 10842.	Excluding: (1) the Wyoming Air Quality Act of 1967 and Wyoming Air Quality Standards and Regulations contained in Appendix E (more recent versions of these documents have been approved in the SIP); (2) Section III, paragraph following table I and Section IV, paragraph G (revisions to these paragraphs have subsequently been approved). (See II below.)
II. Revisions to Sections III (paragraph following Table I and IV (paragraph G) of the SIP	Statewide .....	Submitted: 5/29/73	7/3/74, 39 FR 24504.	
III. Inclusion of the Wyoming Environmental Quality Act, 1973, with amendments incorporated by the 1975 Wyoming State Legislature	Statewide .....	Submitted: 2/19/76	8/31/76, 41 FR 36652.	
IV. Revisions to Implementation Plan for Air Quality Control Plan State of Wyoming: addition of sections for Implementation Plan Reviews: Added to Air Quality Surveillance Chapter—Public Notification of Air Quality; and added to Intergovernmental Cooperation Chapter—Consultation	Statewide .....	Submitted: 1/25/79	7/2/79, 44 FR 38473.	
V. SIP for Total Suspended Particulate (TSP) Trona Area of Sweetwater County nonattainment area	Trona area of Sweetwater County.	Submitted: 1/25/79	7/2/79, 44 FR 38473.	SIP also contained source specific regulations that are now in Chapter 8, Section 2.
VI. Revision to Implementation Plan for Air Quality Control Plan State of Wyoming: Addition of section to Control Strategy Chapter for Implementation Plan Reviews	Statewide .....	4/30/91 .....	4/19/83, 48 FR 16682.	
VII. SIP to meet Air Quality Monitoring 40 CFR part 58	Statewide .....	Submitted: 8/26/81	2/9/82, 47 FR 5892.	
VIII. Emergency Episode Contingency Plan	Statewide .....	Submitted: 8/26/81	2/9/82, 47 FR 5892.	
IX. Implementation Plan for Lead	Statewide .....	Submitted: 8/30/84	10/11/84, 49 FR 39843.	
X. Implementation Plan for Class I Visibility Protection	Statewide .....	Submitted: 9/6/88 ..	2/15/89, 54 FR 6912.	
XI. Commitment to conduct stack height evaluations in accordance with the "Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)," EPA 450/4-80-023R, June, 1985.	Statewide .....	Submitted: 12/9/88	3/17/89, 54 FR 11186.	
XII. Stack Height Demonstration Analyses	Statewide .....	Submitted: 8/5/86 ..	6/7/89, 54 FR 24334.	
XIII. Implementation Plan on Air Quality Surveillance for Inhalable Particulate Matter (PM10)	Statewide .....	Submitted: 3/14/89, Adopted: 12/13/88.	7/10/89 55 FR 28197.	
XIV. NO <sub>x</sub> Increment Implementation	Statewide .....	Submitted: 11/20/90.	5/24/91, 56 FR 23811.	
XV. Small Business Program	Statewide .....	Submitted: 11/1/93	6/20/94, 59 FR 31548.	

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Name of nonregulatory SIP provision	Applicable geographic or non-attainment area	State submittal date/adopted date	EPA approval date and citation <sup>3</sup>	Explanations
XVI. Implementation Plan for PM-10 Control Strategies Sheridan, Wyoming (includes City of Sheridan—Air Quality Maintenance Plan)	Sheridan .....	Submitted: 8/28/89, Adopted: 7/17/89.	6/23/94, 59 FR 32360.	Approval does not include sections 2 and 3, Voluntary Curtailment of Solid Fuel Combustion and Industrial Sources.
XVII. Memorandum of Agreement on Procedures for Protecting PM10 NAAQS in the Powder River Basin	Powder River Basin	Signed: 12/22/93 ...	9/12/95, 60 FR 47290.	
XVIII. Interstate Transport. Wyoming Interstate Transport SIP satisfying the requirement of Section 110(a)(2)(D)(i) of the CAA for the 1997 8-hour ozone and PM <sub>2.5</sub> standards	Statewide .....	Submitted: 5/3/07 .. Adopted: 4/15/07 ...	5/8/08, 73 FR 26019..	

<sup>3</sup>In order to determine the EPA effective date for a specific provision that is listed in this table, consult the FEDERAL REGISTER cited in this column for that particular provision.

[71 FR 64462, Nov. 2, 2006, as amended at 73 FR 26025, May 8, 2008; 73 FR 40752, July 16, 2008; 75 FR 19890, Apr. 16, 2010]

§ 52.2621 Classification of regions.

The Wyoming 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)
Cheyenne Intrastate .....	II	III	III	III	III
Casper Intrastate .....	II	III	III	III	III
Wyoming Intrastate .....	III	III	III	III	III

[37 FR 10904, May 31, 1972]

§ 52.2622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wyoming's plans as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plans satisfy the requirements of Part D, Title I, of the Clean Air Act.

[44 FR 38475, July 2, 1979]

§§ 52.2623-52.2624 [Reserved]

§ 52.2625 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are found in the "Wyoming Air Quality Standards and Regulations, 1975."

WYOMING

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Pacific Power & Light .....	Glenrock .....	14 (b), (e), (h)	Feb. 26, 1973 ..	Immediately .....	Sept. 1, 1976.
Montana-Dakota Utilities .....	Sheridan .....	14 (b), (e), (h)	.....do .....	.....do .....	Dec. 31, 1976.
Utah Power & Light .....	Kemmerer .....	14 (b), (e), (h)	.....do .....	.....do .....	Do.
Black Hills Power & Light .....	Wyodak .....	14 (b), (e), (h)	.....do .....	.....do .....	May 1, 1978.