

§ 52.223

40 CFR Ch. I (7-1-11 Edition)

Reactor Processes and Distillation Operations in SOCMI, and Synthetic Organic Chemical Polymer and Resin Manufacturing were submitted on July 11, 2007 and adopted January 22, 2007.

(vi) Petroleum Refinery Equipment, Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins, and Fugitive Emissions from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment were submitted on October 22, 2010 and adopted on August 23, 2010.

* * * * *

2. At 76 FR 38576, July 1, 2011, § 52.222 was amended by adding paragraphs (a)(6)(vii) and (viii), effective Aug. 30, 2011. For the convenience of the user, the added text is set forth as follows:

§ 52.222 Negative declarations.

- (a) * * *
(6) * * *

(vii) Large Appliances, Surface Coating; Wood Furniture Surface Coating; Gasoline Bulk Plants, Equipment Leaks from Natural Gas/Gasoline Processing Plants; Leaks from Petroleum Refinery Equipment; Air Oxidation Processes (SOCMI); Reactor and Distillation Processes (SOCMI); Tank Truck Gasoline Loading Terminals > 76,000 L; Manufacture of Synthesized Pharmaceutical Products; Manufacture of Pneumatic Rubber Tires; Manufacture of High Density Polyethylene, Polypropylene and Polystyrene; Equipment Used in Synthetic Organic Chemical Polymers and Resin Manufacturing; Refinery Vacuum-Producing Systems, Wastewater Separators and Process Unit Turnarounds; and Magnetic Wire Coating Operations submitted on January 31, 2007 and adopted on September 19, 2006.

(viii) Ship Repair Operations; Storage of Petroleum Liquids in Fixed Roof Tanks; and Petroleum Liquid Storage in External Floating Roof Tanks submitted on January 7, 2011 and adopted on October 19, 2010.

* * * * *

§ 52.223 Approval status.

(a) With the exceptions set forth in this subpart, the Administrator approves California's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

(b) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph. In addition,

continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal of reasonably available control technology (RACT) requirements by July 1, 1980, for sources covered by Control Technique Guidelines (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.

- (1) Imperial County for O3.
(2) North Central Coast Air Basin for O3.
(3) South Coast Air Basin for O3, CO, NO2, and PM.
(4) San Diego Air Basin for O3, CO, and TSP.
(5) San Joaquin Valley Air Basin.
(i) Kern County nonattainment area for ozone, CO, SO2, and PM.
(ii) Kings County for O3 and TSP.
(iii) Madera County for O3 and TSP.
(iv) Merced County for O3 and TSP.
(v) San Joaquin County for CO, O3 and TSP.
(vi) Stanislaus County for CO, O3 and TSP.
(vii) Tulare County for O3 and TSP.
(viii) Fresno County for O3, CO, and TSP.
(6) South Central Coast Air Basin.
(i) Santa Barbara County nonattainment area for O3, CO and TSP.
(ii) Ventura County for O3, CO and TSP.
(7) Sacramento Valley Air Basin.
(i) Butte County for O3 and CO.
(ii) Sutter County for O3.
(iii) Yuba County for O3.
(iv) Sacramento AQMA for O3.
(v) Sacramento County Metropolitan Area for CO.
(8) Southeast Desert Air Basin.
(i) Los Angeles County for Ozone.
(ii) San Bernardino County for Ozone.
(iii) Riverside County for Ozone.
(9) San Francisco Bay Area Air Basin for O3, CO and TSP.
(10) Mountain Counties Air Basin.
(i) El Dorado County (Mountain Counties Air Basin portion) for O3.
(ii) Placer County (Mid-County portion) for O3.
(c) [Reserved]

(d) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

(1) Lake Tahoe Basin for CO.

(2) EPA approves the CO plan for the Lake Tahoe Basin as meeting the requirements of Part D. This approval includes the resolution of the Lake Tahoe Regional Planning Agency banning new source construction pending the adoption of a new regional plan and ordinances. However, EPA disapproves the plan for any future time during which the Tahoe Regional Planning Agency may remove its construction ban prior to EPA approval of the new regional plan and ordinances.

(e) The Administrator approves the following portions of the 1999 Ozone Attainment Plan for the San Francisco Bay Area submitted by the California Air Resources Board on August 13, 1999: the 1995 baseline emissions inventory, the reasonable further progress demonstration, and the deletion of transportation control measures #6 and #16.

(f)(1) Insofar as the Prevention of Significant Deterioration (PSD) provisions found in North Coast Unified Air Quality Management District's approved plan apply to stationary sources of greenhouse gas (GHGs) emissions, the Administrator approves that application only to the extent that GHGs are "subject to regulation", as provided in this paragraph (b), and the Administrator takes no action on that application to the extent that GHGs are not "subject to regulation."

(2) Beginning January 2, 2011, the pollutant GHGs is subject to regulation if:

(i) The stationary source is a new major stationary source for a regulated NSR pollutant that is not GHGs, and also will emit or will have the potential to emit 75,000 tpy CO₂e or more; or

(ii) The stationary source is an existing major stationary source for a regulated NSR pollutant that is not GHGs, and also will have an emissions increase of a regulated NSR pollutant, and an emissions increase of 75,000 tpy CO₂e or more; and

(3) Beginning July 1, 2011, in addition to the provisions in paragraph (b)(2) of

this section, the pollutant GHGs shall also be subject to regulation:

(i) At a new stationary source that will emit or have the potential to emit 100,000 tpy CO₂e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO₂e, when such stationary source undertakes a physical change or change in the method of operation that will result in an emissions increase of 75,000 tpy CO₂e or more.

(4) For purposes of this paragraph (b)—

(i) The term greenhouse gas shall mean the air pollutant defined in 40 CFR 86.1818-12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(ii) The term tpy CO₂ equivalent emissions (CO₂e) shall represent an amount of GHGs emitted, and shall be computed as follows:

(A) Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of 40 CFR part 98—Global Warming Potentials.

(B) Sum the resultant value from paragraph (b)(4)(ii)(A) of this section for each gas to compute a tpy CO₂e.

(iii) The term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in the EPA-approved North Coast Unified Air Quality Management District rules at R1-1-130(s2)) and a significant net emissions increase (as defined in the North Coast Unified Air Quality Management District rules at R1-1-130(n1)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO₂e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and "significant" is defined as 75,000 tpy CO₂e instead of applying the value in the EPA-approved North Coast Unified Air Quality Management District rules at R1-1-130(s2).

(g)(1) Insofar as the Prevention of Significant Deterioration (PSD) provisions found in Northern Sonoma County Air Pollution Control District's approved plan apply to stationary sources

of greenhouse gas (GHGs) emissions, the Administrator approves that application only to the extent that GHGs are “subject to regulation”, as provided in this paragraph (b), and the Administrator takes no action on that application to the extent that GHGs are not “subject to regulation.”

(2) Beginning January 2, 2011, the pollutant GHGs is subject to regulation if:

(i) The stationary source is a new major stationary source for a regulated NSR pollutant that is not GHGs, and also will emit or will have the potential to emit 75,000 tpy CO₂e or more; or

(ii) The stationary source is an existing major stationary source for a regulated NSR pollutant that is not GHGs, and also will have an emissions increase of a regulated NSR pollutant, and an emissions increase of 75,000 tpy CO₂e or more; and,

(3) Beginning July 1, 2011, in addition to the provisions in paragraph (b)(2) of this section, the pollutant GHGs shall also be subject to regulation:

(i) At a new stationary source that will emit or have the potential to emit 100,000 tpy CO₂e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO₂e, when such stationary source undertakes a physical change or change in the method of operation that will result in an emissions increase of 75,000 tpy CO₂e or more.

(4) For purposes of this paragraph (b)—

(i) The term greenhouse gas shall mean the air pollutant defined in 40 CFR 86.1818–12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(ii) The term tpy CO₂ equivalent emissions (CO₂e) shall represent an amount of GHGs emitted, and shall be computed as follows:

(A) Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas’s associated global warming potential published at Table A–1 to subpart A of 40 CFR part 98—Global Warming Potentials.

(B) Sum the resultant value from paragraph (b)(4)(ii)(A) of this section for each gas to compute a tpy CO₂e.

(iii) The term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in the EPA-approved Northern Sonoma County Air Pollution Control District rules at R1–1–130(s2)) and a significant net emissions increase (as defined in the Northern Sonoma County Air Pollution Control District rules at R1–1–130(n1)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO₂e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and “significant” is defined as 75,000 tpy CO₂e instead of applying the value in the EPA-approved Northern Sonoma County Air Pollution Control District rules at R1–1–130(s2).

(h)(1) Insofar as the Prevention of Significant Deterioration (PSD) provisions found in Mendocino County Air Quality Management District’s approved plan apply to stationary sources of greenhouse gas (GHGs) emissions, the Administrator approves that application only to the extent that GHGs are “subject to regulation”, as provided in this paragraph (b), and the Administrator takes no action on that application to the extent that GHGs are not “subject to regulation.”

(2) Beginning January 2, 2011, the pollutant GHGs is subject to regulation if:

(i) The stationary source is a new major stationary source for a regulated NSR pollutant that is not GHGs, and also will emit or will have the potential to emit 75,000 tpy CO₂e or more; or

(ii) The stationary source is an existing major stationary source for a regulated NSR pollutant that is not GHGs, and also will have an emissions increase of a regulated NSR pollutant, and an emissions increase of 75,000 tpy CO₂e or more; and,

(3) Beginning July 1, 2011, in addition to the provisions in paragraph (b)(2) of this section, the pollutant GHGs shall also be subject to regulation:

(i) At a new stationary source that will emit or have the potential to emit 100,000 tpy CO₂e; or

(ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO₂e, when such stationary source undertakes a physical change or change in the method of operation that

Environmental Protection Agency

§ 52.224

will result in an emissions increase of 75,000 tpy CO₂e or more.

(4) For purposes of this paragraph (b)—

(i) The term greenhouse gas shall mean the air pollutant defined in 40 CFR 86.1818–12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(ii) The term tpy CO₂ equivalent emissions (CO₂e) shall represent an amount of GHGs emitted, and shall be computed as follows:

(A) Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of 40 CFR part 98—Global Warming Potentials.

(B) Sum the resultant value from paragraph (b)(4)(ii)(A) of this section for each gas to compute a tpy CO₂e.

(iii) The term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in the EPA-approved Mendocino County Air Quality Management District rules at R1-1-130(s2)) and a significant net emissions increase (as defined in the Mendocino County Air Quality Management District rules at R1-1-130(ml) (1982)) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO₂e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and “significant” is defined as 75,000 tpy CO₂e instead of applying the value in the EPA-approved Mendocino County Air Quality Management District rules at R1-1-130(s2).

[45 FR 74484, Nov. 11, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.223, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 52.224 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met except in certain Air Pollution Control Districts (APCD) as indicated in this paragraph since the plan does not provide procedures by which emission data, as correlated with applicable emission limi-

tations, will be made available to the public.

(1) The following APCD's meet the requirements of § 51.116(c) of this chapter:

- (i) Siskiyou County APCD.
- (ii) San Diego County APCD.
- (iii) Great Basin Unified APCD.
- (iv) Del Norte County APCD.
- (v) Humboldt County APCD.
- (vi) Mendocino County APCD.
- (vii) Northern Sonoma County APCD.
- (viii) Trinity County APCD.
- (ix) Amador County APCD.

(2) The following APCD's do not provide for the correlation of emission data with applicable emission limitations as required by § 51.116(c) of this chapter. In these APCD's, only the requirements of § 52.224(b)(4) are in effect:

- (i) Merced County APCD.
- (ii) Stanislaus County APCD.
- (iii) Fresno County APCD.
- (iv) Calaveras County APCD.
- (v) Tuolumne County APCD.
- (vi) San Joaquin County APCD.
- (vii) Mariposa County APCD.
- (viii) Tulare County APCD.
- (ix) Kern County APCD.
- (x) Madera County APCD.
- (xi) Yolo-Solano APCD.
- (xii) Sutter County APCD.
- (xiii) Glenn County APCD.
- (xiv) Tehama County APCD.
- (xv) Sierra County APCD.
- (xvi) Shasta County APCD.
- (xvii) Sacramento County APCD.
- (xviii)–(xix) [Reserved]
- (xx) Lake County APCD.
- (xxi) Imperial County APCD.
- (xxii) [Reserved]
- (xxiii) Ventura County APCD.
- (xxiv) Monterey Bay Unified APCD.
- (xxv) [Reserved]
- (xxvi) San Luis Obispo County APCD.
- (xxvii) Kings County APCD.
- (xxviii) Plumas County APCD.
- (xxix) Nevada County APCD.

(b) *Regulation for public availability of emission data.* (1) Any person who cannot obtain emission data from the Agency responsible for making emission data available to the public, as specified in the applicable plan, except for those APCD's specified in paragraph (a) of this section, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the