

MAINE NON REGULATORY—Continued

Name of non regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approved date <sup>3</sup>	Explanations
Letter from the Maine DEP submitting additional technical support and an enforcement plan for Chapter 119 as an amendment to the SIP.	Southern Maine .....	05/29/2001	03/06/2002, 67 FR 10099	Letter from the Maine Department of Environmental Protection dated May 29, 2001 submitting additional technical support and an enforcement plan for Chapter 119 as an amendment to the State Implementation Plan.
Application for a Waiver of Federally-Preempted Gasoline Standards.	Southern Maine .....	05/25/2001	03/06/2002, 67 FR 10099	Additional technical support.
Letter from the Maine DEP dated July 1, 1997, submitting case-specific NO <sub>x</sub> RACT determinations.	Maine .....	07/01/1997	09/09/2002, 67 FR 57148	Letter from the Maine Department of Environmental Protection submitting a revision to the Maine SIP.
Letter from the Maine DEP dated October 9, 1997, submitting case-specific NO <sub>x</sub> RACT determinations.	Maine .....	10/09/1997	09/09/2002, 67 FR 57148	Letter from the Maine Department of Environmental Protection submitting a revision to the Maine SIP.
Letter from the Maine DEP dated August 14, 1998, submitting case-specific NO <sub>x</sub> RACT determinations.	Maine .....	08/14/1998	09/09/2002, 67 FR 57148	Letter from the Maine Department of Environmental Protection submitting a revision to the Maine SIP.
Chapter 127 Basis Statement	Maine .....	12/31/2000	04/28/2005, 70 FR 21959.	
Correspondence from Maine DEP indicating which portions of Chapter 137 should not be incorporated into the State's SIP.	Maine .....	06/06/2006	11/21/2007, 72 FR 65462	Correspondence from David W. Wright of the Maine DEP indicating which portions of Chapter 137 Emission Statements should not be incorporated into the State's SIP.
State of Maine MAPA 1 form for Chapter 139 Transportation Conformity.	Maine nonattainment areas, and attainment areas with a maintenance plan.	09/10/2007	02/08/2008, 73 FR 7465	Certification that the Attorney General approved the Rule as to form and legality.
Amendment to Chapter 141 Conformity of General Federal Actions.	Maine nonattainment areas, and attainment areas with a maintenance plan.	04/19/2007	02/20/2008, 73 FR 9203	Maine Department of Environmental Protection amended its incorporation-by-reference within Chapter 141.2 to reflect EPA's revision to the Federal General Conformity Rule for fine particulate matter promulgated on July 17, 2006 (71 FR 40420-40427); specifically 40 CFR 51.852 Definitions and 40 CFR 51.853 Applicability.
State of Maine MAPA 1 form for Chapter 102 Open Burning Regulation.	Maine .....	01/03/2003	02/21/2008, 73 FR 9459	Certification that the Attorney General approved the Rule as to form and legality.

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

[73 FR 56973, Oct. 1, 2008]

§ 52.1021 Classification of regions.

The Maine plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Portland Intrastate .....	I	II	III	III	III
Androscoggin Valley Interstate .....	IA	IA	III	III	III

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Down East Intrastate .....	IA	IA	III	III	III
Aroostook Intrastate .....	III	III	III	III	III
Northwest Maine Intrastate .....	III	III	III	III	III

[37 FR 10870, May 31, 1972, as amended at 45 FR 10774, Feb. 19, 1980]

**§ 52.1022 Approval status.**

(a) With the exceptions set forth in this subpart, the Administrator approves Maine’s plan, as identified in § 52.1020, for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

(b)(1) Insofar as the Prevention of Significant Deterioration (PSD) provisions found in this subpart 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 CO<sub>2</sub>e 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 CO<sub>2</sub>e 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 CO<sub>2</sub>e; or
- (ii) At an existing stationary source that emits or has the potential to emit 100,000 tpy CO<sub>2</sub>e, 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 CO<sub>2</sub>e 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 CO<sub>2</sub> equivalent emissions (CO<sub>2</sub>e) 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 CO<sub>2</sub>e.

(iii) the term emissions increase shall mean that both a significant emissions increase (as calculated using the procedures in 06–096 1. of Chapter 100 of Maine’s Bureau of Air Quality Control regulations) and a significant net emissions increase (as defined in 06–096, paragraphs 89 and 144 A of Chapter 100 of Maine’s Bureau of Air Quality Control regulations) occur. For the pollutant GHGs, an emissions increase shall be based on tpy CO<sub>2</sub>e, and shall be calculated assuming the pollutant GHGs is a regulated NSR pollutant, and “significant” is defined as 75,000 tpy CO<sub>2</sub>e instead of applying the value in 06–096, paragraphs 143 and 144 D of Chapter 100 of Maine’s Bureau of Air Quality Control regulations.

[75 FR 82555, Dec. 30, 2010]

**§ 52.1023 Control strategy: Ozone.**

(a) *Determination.* EPA is determining that, as of July 21, 1995, the Lewiston-Auburn ozone nonattainment area has