

§ 52.1424

40 CFR Ch. I (7–1–11 Edition)

Regional Office within 45 days of each exceedance.

(3) When an appropriate number of verifiable exceedances of the 24-hour standard occur, calculated according to section 2.0 of the PM₁₀ SIP Development Guideline, or when an exceedance of the annual PM₁₀ standard occurs, acknowledge that a nonattainment problem exists and immediately notify the Regional Office.

(4) Within 30 days of the notification referred to in paragraph (a)(3) of this section, or within 37 months of promulgation of the PM₁₀ standards, whichever comes first, determine whether measures in the existing SIP will assure timely attainment and maintenance of the PM₁₀ standards and immediately notify the Regional Office.

(5) Within 6 months of the notification referred to in paragraph (a)(4) of this section, adopt and submit to EPA a PM₁₀ control strategy that assures attainment as expeditiously as practicable but no later than 3 years from approval of the committal SIP.

An emission inventory will be compiled for the identified Group II areas. If either area is found to be violating the PM₁₀ standards, the inventory will be completed as part of the PM₁₀ SIP for that area on a schedule consistent with that outlined in paragraphs 3, 4, and 5. If the PM₁₀ standards are not violated, the inventory will be completed not later than July 1, 1989, and submitted to EPA not later than Au-

gust 31, 1990, as part of the determination of adequacy of the current SIP to attain and maintain the PM₁₀ air quality standards.

(b) We request that the total suspended particulate nonattainment areas in Omaha and Weeping Water (all secondary nonattainment) and Louisville (Primary nonattainment) be redesignated to unclassifiable.

[54 FR 21063, May 16, 1989]

§ 52.1424 Operating permits.

Emission limitations and related provisions which are established in Nebraska operating permits as Federally enforceable conditions shall be enforceable by EPA. The EPA reserves the right to deem permit conditions not Federally enforceable. Such a determination will be made according to appropriate procedures and be based upon the permit, permit approval procedures, or permit requirement which do not conform with the operating permit program requirements or the requirements of EPA underlying regulations.

[61 FR 4901, Feb. 9, 1996]

§ 52.1425 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.104 and subpart N of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

NEBRASKA—COMPLIANCE SCHEDULES

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
ASARCO, Inc	Omaha, NE	Nebraska DEC Second Amended Administrative Order No. 753.	Nov. 12, 1986	Not applicable	Feb. 1, 1988

[41 FR 22350, June 3, 1976, as amended at 41 FR 52456, Nov. 30, 1976; 42 FR 16140, Mar. 25, 1977; 50 FR 4512, Jan. 31, 1985; 51 FR 40675, 40676, Nov. 7, 1986; 52 FR 28696, Aug. 3, 1987; 54 FR 25259, June 14, 1989]

§ 52.1426 Original identification of plan section.

(a) This section identifies the original “Nebraska Air Quality Implementation Plan” and all revisions sub-

mitted by Nebraska that were Federally approved prior to July 1, 1998.

(b) The plan was officially submitted on January 28, 1972.