

Environmental Protection Agency

§ 52.2370

Contractor Certification, AHERA Accreditation and AHERA Implementation, is removed from Utah's approved State Implementation Plan (SIP). This rule language pertains to the regulation of asbestos and is generally not related to attainment of the National Ambient Air Quality Standards (NAAQS) and therefore it is not appropriate to be in Utah's SIP.

(c) Utah Administrative Code (UAC) rule R307-1-4.12, National Emission Standards for Hazardous Air Pollutants (NESHAPs), is removed from Utah's approved State Implementation Plan (SIP). Utah has delegation of authority for NESHAPs in 40 CFR part 61 (49 FR 36368), pursuant to 110(k)(6) of the Act.

(d) Utah Administrative Code (UAC) rule R307-1-6, Eligibility of Pollution Control Expenditures for Sales Tax Exemption, is removed from Utah's approved State Implementation Plan (SIP). This rule language pertains to State Sales Tax Exemptions for Pollution Control Expenditures and is not generally related to attainment of the National Ambient Air Quality Standards (NAAQS) and is therefore not appropriate to be in Utah's SIP.

(e) Utah Administrative Code (UAC) rule R307-102-3, Administrative Procedures and Hearings, and R307-414-3, Request for Review, are removed from Utah's approved State Implementation Plan (SIP). These provisions are not required by the CAA and are, therefore, not required to be in Utah's SIP. These provisions were last approved in 40 CFR 52.2320(c)(59)(i)(A).

(f) Utah Administrative Code (UAC) rule R307-1-4.06, Continuous Emission Monitoring Systems Program (CEMSP), is removed from Utah's approved State Implementation Plan (SIP). This rule has been superseded and replaced by rule R307-170, Continuous Emission Monitoring Program.

[67 FR 59000, Sept. 19, 2002, as amended at 71 FR 7682, Feb. 14, 2006; 72 FR 4645, Feb. 1, 2007; 72 FR 19385, Apr. 18, 2007]

§ 52.2353 Control strategy: Carbon monoxide.

Determination. EPA has determined that the Provo carbon monoxide "moderate" nonattainment area attained the carbon monoxide national

ambient air quality standard by December 31, 1995. This determination is based on air quality monitoring data from 1994 and 1995.

[67 FR 59168, Sept. 20, 2002]

§ 52.2354 Interstate transport.

CAA Section 110(a)(2)(D)(i) requirements for the 1997 8-hour ozone and PM_{2.5} standards. Section XXIII, Interstate Transport, of the Utah SIP submitted by the Utah Governor on March 22, 2007, satisfies the requirements of the Clean Air Act Section 110(a)(2)(D)(i) for the 8-hour ozone and PM_{2.5} NAAQS promulgated by EPA in July 1997. Section XXIII, Interstate Transport, was adopted by the UAQB on February 9, 2007. The March 22, 2007 Governor's letter included as an attachment a set of replacement pages for the Interstate Transport text. The new pages reflect correctly that the Interstate Transport declaration is under Section XXIII of the Utah SIP and not under Section XXII as incorrectly indicated in the pages submitted with the Administrative Documentation for the adoption of this SIP section.

[73 FR 16547, Mar. 28, 2008]

Subpart UU—Vermont

§ 52.2370 Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan for Vermont under section 110 of the Clean Air Act, 42 U.S.C. 7401-7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraph (c) and (d) of this section with an EPA approval date prior to February 10, 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 it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after February 10, 2006, will be incorporated by reference in the next update to the SIP compilation.

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(2) EPA Region 1 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 February 10, 2006.

(3) Copies of the materials incorporated by reference may be inspected at the New England Regional Office of EPA at One Congress Street, Suite

1100, Boston, MA 02114-2023; the EPA, Air and Radiation Docket and Information Center, Air Docket (Mail Code 6102T), Room B-108, 1301 Constitution Avenue, NW., Washington, DC 20460 and the National Archives and Records Administration. For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) EPA approved regulations.

EPA-APPROVED VERMONT REGULATIONS

State citation	Title/subject	State effective date	EPA approval date	Explanations
Chapter 5—Air Pollution Control				
Subchapter I. Definitions				
Section 5-101	Definitions	07/29/93	04/22/98, 63 FR 19825	Definitions IBR'd into the Vermont SIP are numbered consecutively by EPA, and do not necessarily correspond to the State's assigned definition number in the Vermont State Regulation, which are re-numbered whenever definitions are added or deleted from the State Regulation.
Subchapter II. Prohibitions				
Section 5-201	Open burning prohibited	07/22/98	04/22/98, 63 FR 19825	Except Section 5-211(3). Except Section 5-221(1)(c)(i) and Section 5-221(1)(c)(ii). Requires RACT for major stationary sources of NO _x .
Section 5-202	Permissible open burning	01/25/78	12/21/78, 43 FR 59496	
Section 5-203	Procedures for local authorities to burn natural wood.	01/25/78	12/21/78, 43 FR 59496	
Section 5-211	Prohibition of visible air contaminants.	08/12/78	04/16/82, 47 FR 16331	
Section 5-221	Prohibition of pollution potential materials in fuel.	01/25/78	12/21/78, 43 FR 59496	
Section 5-231	Prohibition of particular matter.	11/13/81	02/26/85, 50 FR 7767	
Section 5-241	Prohibition of nuisance and odor.	01/25/78	12/21/78, 43 FR 59496	
Section 5-251	Control of nitrogen oxides emissions.	01/04/95	04/09/97, 62 FR 17084	
Section 5-252	Control of sulfur dioxide emissions.	11/04/79	02/19/80, 45 FR 10775	
Section 5-253.1 ...	Petroleum liquid storage in fixed roof Tanks.	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.2 ...	Bulk gasoline terminals ..	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.3 ...	Bulk gasoline plants	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.4 ...	Gasoline tank trucks	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.5 ...	Stage I vapor recovery controls at gasoline dispensing facilities.	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.10	Paper coating	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.12	Coating of flad wood paneling.	10/29/92	04/22/98, 63 FR 19825	
Section 5-253.13	Coating of miscellaneous metal parts.	07/29/93	04/22/98, 63 FR 19825	
Section 5-253.14	Solvent metal cleaning ...	07/29/93	04/22/98, 63 FR 19825	

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State citation	Title/subject	State effective date	EPA approval date	Explanations
Section 5–253.15	Cutback and emulsified asphalt.	08/02/94	04/22/98, 63 FR 19825	
Section 5–253.20	Other sources that emit volatile organic compounds.	08/03/93	04/09/97, 62 FR 17084	
Section 5–261	Control of hazardous air contaminants.	11/03/81	02/10/82, 47 FR 6014.	
Subchapter III. Ambient Air Quality Standards				
Section 5–301	Scope	12/15/90	03/05/91, 56 FR 9175	Removal of the TSP standard (Section 5–304 and 5–305) and establishment of PM ₁₀ standard (Section 5–306).
Section 5–302	Sulfur dioxide primary	03/24/79	02/19/80, 45 FR 10775	
Section 5–303	Sulfur dioxide secondary	03/24/79	02/19/80, 45 FR 10775	
Section 5–306	PM ₁₀ primary and secondary standards.	11/01/90	08/01/97, 62 FR 41280	
Section 5–307	Carbon monoxide primary and secondary.	03/24/79	02/19/80, 45 FR 10775	
Section 5–308	Ozone primary and secondary.	03/24/79	02/19/80, 45 FR 10775	Formerly Section 5–307, renumbered to 5–308 when new Section 5–306 for PM ₁₀ was created.
Section 5–309	Lead primary and secondary.	11/13/81	02/10/82, 47 FR 6014	Formerly Section 5–308, renumbered to 5–309 when new Section 5–306 for PM ₁₀ was created.
Section 5–310	Nitrogen dioxide primary and secondary.	12/15/90	03/05/91, 56 FR 9175	Formerly Section 5–309, renumbered to 5–310 when new Section 5–306 for PM ₁₀ was created.
Subchapter IV. Operations and Procedures				
Section 5–401	Classification of air contaminant sources.	03/24/79	02/19/80, 45 FR 10775	
Section 5–402	Written reports when requested.	03/24/79	02/19/80, 45 FR 10775	
Section 5–403	Circumvention	12/10/72	05/31/72, 37 FR 10842	
Section 5–404	Methods for sampling and FR testing of sources.	03/24/78	02/19/80, 45 FR 10775	
Section 5–405	Required air monitoring ..	03/24/79	02/19/80, 45 FR 10775	
Section 5–406	Required air modeling	03/24/79	02/19/80, 45 FR 10775	
Subchapter V. Review of New Air Contaminant Sources				
Section 5–501	Review of construction or modification of air contaminant sources.	09/17/86	07/17/87, 52 FR 26973	
Section 5–502	Major stationary sources and major modifications.	07/14/95	08/04/97, 62 FR 41867	
Subchapter VII. Motor Vehicle Emissions				
Section 5–701	Removal of control devices.	03/24/79	02/19/80, 45 FR 10775	
Section 5–702	Excessive smoke emissions from motor vehicles.	03/24/79	02/19/80, 45 FR 10775	
Section 5–801	Effective date	03/24/79	01/30/80, 45 FR 6781	

EPA-APPROVED VERMONT REGULATIONS—Continued

State citation	Title/subject	State effective date	EPA approval date	Explanations
Tables				
Table 1	Table 1—Process weight standards.	01/25/78	12/21/78, 43 FR 59496	
Table 2	Table 2—PSD increments.	12/15/90	03/05/91, 56 FR 9175	
Table 3	Table 3—Levels of significant impact for non-attainment areas.	11/03/81	02/10/82, 47 FR 6014	
Subchapter VIII. Registration of Air Contaminant Sources				
Sections 5–801	Definitions	04/20/88	01/10/95, 60 FR 2524	
Sections 5–802	Requirement for registration.	04/20/88	01/10/95, 60 FR 2524	
Section 5–803	Registration procedure ...	04/20/88	01/10/95, 60 FR 2524	
Section 5–804	False or misleading information.	04/20/88	01/10/95, 60 FR 2524	
Section 5–805	Commencement or re-commencement of operation.	04/20/88	01/10/95, 60 FR 2524	
Section 5–806	Transfer of Operation	04/20/88	01/10/95, 60 FR 2524	

(d) *EPA-approved State Source specific requirements.*

EPA-APPROVED VERMONT SOURCE SPECIFIC REQUIREMENTS

Name of source	Permit number	State effective date	EPA approval date	Explanations
Simpson Paper Company, Centennial Mill in Gilman, Vermont.	Environmental Protection Regulations, Chapter 5, Air Pollution Control, Subchapter II. Section 5–251(2).	01/04/95	04/09/97, 45 FR 17084	Administrative orders for Simpson Paper Company, in Gilman, Vermont, adopted and effective on January 4, 1995.
U.S. Samaica Corporation, in Rutland, VT.	Environmental Protection Regulations, Chapter 5, Air Pollution Control, Subchapter II. Section 5–253.20.	01/04/95	04/09/97, 45 FR 17084	Administrative orders for U.S. Samaica Corporation, in Rutland, Vermont, adopted and effective on January 4, 1995.

(e) *Nonregulatory.*

VERMONT NON-REGULATORY

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date	Explanation
Notice of public hearing	Statewide	Submitted 02/03/72.	06/15/72, 37 FR 11914	(c)(1) Vermont Agency of Environmental Conservation.
Miscellaneous non-regulatory revisions to the plan.	Submitted 02/25/72.	5/31/72, 37 FR 10842 ...	(c)(2) Vermont Agency of Environmental Conservation.
Miscellaneous non-regulatory revisions to the plan.	Submitted 03/03/75.	01/21/76, 41 FR 3085 ...	(c)(4) Vermont Agency of Environmental Conservation. Deletion of Winooski sampling site for particulates and sulfur dioxide.
Plans to meet various requirements of the Clean Air Act, including Part C.	Submitted 03/21/79, and 11/21/79.	01/30/80, 45 FR 6781 ...	(c)(9) See Plans to attain below.

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VERMONT NON-REGULATORY—Continued

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date	Explanation
Attainment Plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977.	Submitted 03/21/79, 11/21/79, 11/27/79, and 12/19/79.	02/19/80, 45 FR 10775	(c)(10) Plans to attain. State of Vermont air quality and the implementation plan (March 1979). The secondary TSP standard for Barre City and a portion of the Champlain Valley Air Management Area, the carbon monoxide standard in the Champlain Valley Air Management Area and the ozone standard in Chittenden, Addison, and Windsor Counties. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions were also included.
A plan to provide for public, local and state involvement in federally funded air pollution control activities.	Submitted 03/28/80.	09/09/80, 45 FR 59314	(c)(11) A plan to provide for public, local and state involvement in federally funded air pollution control activities.
A plan to attain and maintain the National Ambient Air Quality Standard for lead.	Submitted 06/24/80, and 11/07/80.	03/18/81, 45 FR 17192	(c)(12) A plan to attain and maintain the National Ambient Air Quality Standard for lead. A letter further explaining the state procedures for review of new major sources of lead emissions.
A revision to the quality monitoring network.	Submitted 03/21/79.	10/08/80, 45 FR 66789, corrected by 03/16/81, 46 FR 16897.	(c)(13) meets the requirements of 40 CFR part 58
Narrative submittal "Implementation Plan for the Protection of Visibility in the State of Vermont" and "Appendices".	Submitted 04/15/86.	07/17/87, 52 FR 26973	(c)(19) Describing procedures, notifications, and technical evaluations to fulfill the visibility protection requirements of 40 CFR part 51, subpart P.
State Implementation Plan narrative.	Submitted 12/07/90, and 01/10/91.	03/05/91, 56 FR 9175 ...	(c)(20) State of Vermont Air Quality Implementation Plan dated November 1990.
State Implementation Plan narrative.	Submitted 08/09/93.	01/10/95, 60 FR 2524 ...	(c)(21) State of Vermont Air Quality Implementation Plan dated February, 1993. To meet the emission statement requirement of the CAAA of 1990.
Revisions to the State Implementation Plan.	Submitted 02/03/93, 08/09/93, and 08/10/94.	04/22/98, 63 FR 19825	(c)(25) State of the State Vermont: Air Quality Implementation Plan dated August 1993.
Revisions to the State Implementation Plan.	Submitted 08/03/98.	07/10/00, 65 FR 42290	(c)(26) letter from VT Air Pollution Control Division dated July 28, 1998 stating a negative declaration for the aerospace coating operations CTG category.

[65 FR 54415, Sept. 8, 2000, as amended at 68 FR 34809, June 11, 2003; 71 FR 14390, Mar. 22, 2006]

§ 52.2371 Classification of regions.

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