

(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 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 NR 405.025 of Wisconsin’s Administrative Code) and a significant net emissions increase (as defined in NR 405.02, paragraphs (24), (27)(a), and (27m) of Wisconsin’s Administrative Code) 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 NR 405.02(27)(c) of Wisconsin’s Administrative Code.

[75 FR 82563, Dec. 30, 2010]

§ 52.2573 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met since the plan does not provide for public availability of emission data.

(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, concerning emissions from any source subject to emission limitations which are part of the approved plan may request that the appropriate Regional Administrator obtain and make public such data. Within 30 days after receipt of any such written request, the Regional Administrator shall require the owner or operator of any such source to submit information within 30 days on the nature and amounts of emissions from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the applicable plan.

(2) Commencing after the initial notification by the Regional Administrator pursuant to paragraph (b)(1) of this section, the owner or operator of the source shall maintain records of the nature and amounts of emissions

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from such source and any other information as may be deemed necessary by the Regional Administrator to determine whether such source is in compliance with applicable emission limitations or other control measures that are part of the plan. The information recorded shall be summarized and reported to the Regional Administrator, on forms furnished by the Regional Administrator, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1–June 30 and July 1–December 31.

(3) Information recorded by the owner or operator and copies of this summarizing report submitted to the Regional Administrator shall be retained by the owner or operator for 2 years after the date on which the pertinent report is submitted.

(4) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures that are part of the applicable plan and will be available at the appropriate regional office and at other locations in the state designated by the Regional Administrator.

[37 FR 10902, May 31, 1972, as amended at 40 FR 55334, Nov. 28, 1975; 51 FR 40676, Nov. 7, 1986]

§ 52.2574 Legal authority.

(a) The requirements of § 51.230(f) of this chapter are not met since section 144.33 of the Wisconsin Air Law will preclude the release of emission data in certain situations.

[37 FR 10902, May 31, 1972, as amended at 51 FR 40676, Nov. 7, 1986]

§ 52.2575 Control strategy: Sulfur dioxide.

(a) Part D—Approval—With the exceptions set forth in this subpart, the Administrator approved the Wisconsin sulfur dioxide control plan.

(1) Part D—No action—USEPA takes no action on the Wisconsin sulfur dioxide rules NR 154.12 (1), (2) and (3).

(b) Sulfur dioxide maintenance plan.

(1) An SO₂ maintenance plan was submitted by the State of Wisconsin on June 9, 1992, for the City of Madison, Dane County.

(2) An SO₂ maintenance plan was submitted by the State of Wisconsin on June 12, 1992, for the City of Milwaukee, Milwaukee County.

(3) An SO₂ maintenance plan was submitted by the State of Wisconsin on November 5, 1999, for the City of Rhinelander, Oneida County.

(4) An SO₂ maintenance plan was submitted by the State of Wisconsin on November 17, 2000, for the villages of Rothschild and Weston and the Township of Rib Mountain, all located in central Marathon County.

[46 FR 21168, Apr. 9, 1981, as amended at 58 FR 29786 and 29790, May 24, 1993; 65 FR 68904, Nov. 15, 2000; 67 FR 37331, May 29, 2002]

§ 52.2576 [Reserved]

§ 52.2577 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Wisconsin's plan, except where noted.

Air Quality Control Region	Pollutant						
	TSP		SO ₂		NO ₂	CO	O ₃
	Primary	Secondary	Primary	Secondary			
Duluth (Minnesota)-Superior (Wisconsin Interstate (AQCR 129):							
a. Primary/Secondary non-attainment areas.	a	f	b	a	c	c	c.
b. Remainder of AQCR	b	c	c	c	c	c	c.
North Central Wisconsin Intrastate (AQCR 238):							
a. Primary/Secondary non-attainment areas.	b	f	d	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.
Lake Michigan Intrastate (AQCR 237):							
a. Primary/Secondary non-attainment areas.	b	f	c	c	c	c	d.
b. Remainder of AQCR	b	c	c	c	c	c	c.