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sources and modifications that are major for NO_x: Clinton, Columbiana, Delaware, Franklin, Jefferson, Licking, Mahoning, Preble, Stark, and Trumbull. This approval also exempts the following counties in Ohio from the NO_x related general conformity provisions; nonattainment area NSR for new sources and modifications that are major for NO_x; NO_x RACT; and a demonstration of compliance with the enhanced I/M performance standard for NO_x: Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit.

(f) Approval—USEPA is approving two exemption requests submitted by the Ohio Environmental Protection Agency on September 20, 1993, and November 8, 1993, for the Toledo and Dayton ozone nonattainment areas, respectively, from the requirements contained in Section 182(f) of the Clean Air Act. This approval exempts the Lucas, Wood, Clark, Greene, Miami, and Montgomery Counties from the requirements to implement reasonably available control technology (RACT) for major sources of nitrogen oxides (NO_x), nonattainment area new source review (NSR) for new sources and modifications that are major for NO_x, and the NO_x-related requirements of the general and transportation conformity provisions. For the Dayton ozone nonattainment area, the Dayton local area has opted for an enhanced inspection and maintenance (I/M) programs. Upon final approval of this exemption, the Clark, Greene, Miami, and Montgomery Counties shall not be required to demonstrate compliance with the enhanced I/M performance standard for NO_x. If a violation of the ozone NAAQS is monitored in the Toledo or Dayton area(s), the exemptions from the requirements of Section 182(f) of the Act in the applicable area(s) shall no longer apply.

(g) Approval—EPA is approving an exemption from the requirements contained in section 182(f) of the Clean Air Act. This approval exempts Butler, Clermont, Hamilton, and Warren counties in Ohio from nonattainment NSR

for new sources and modifications that are major for NO_x.

[39 FR 13542, Apr. 15, 1974, as amended at 45 FR 72122, Oct. 31, 1980; 45 FR 82927, Dec. 17, 1980; 51 FR 40677, Nov. 7, 1986; 58 FR 47214, Sept. 8, 1993; 59 FR 48395, Sept. 21, 1994; 60 FR 3766, Jan. 19, 1995; 60 FR 36060, July 13, 1995; 65 FR 37899, June 19, 2000]

§ 52.1880 Control strategy: Particulate matter.

(a) The requirements of subpart G of this chapter are not met because the Ohio plan does not provide for attainment and maintenance of the secondary standards for particulate matter in the Greater Metropolitan Cleveland Intrastate Region and the Ohio portions of the Northwest Pennsylvania-Youngstown and the Steubenville-Weirton-Wheeling Interstate Regions.

(b) In Pickaway County, Columbus and Southern Ohio Electric Company, or any subsequent owner or operator of the Picway Generating Station, shall not operate simultaneously Units 3 and 4 (boilers 7 and 8) at any time. These units will terminate operation no later than October 1, 1980.

(c) Ohio Regulation EP-12 (open burning) is disapproved insofar as EP-12-03(D)(1) and EP-12-04(D)(1) allow open burning of hazardous or toxic materials.

(d)-(f) [Reserved]

(g) The B.F. Goodrich Chemical Plant State Implementation Plan revision is being disapproved because it is not supported by an adequate attainment demonstration and therefore does not meet the requirements of § 51.13(e).

(h) *Approval.* On January 4, 1989, the State of Ohio submitted a committal SIP for particulate matter with an aerodynamic diameter equal to or less than 10 micrometers (PM₁₀) for Ohio's Group II areas. The Group II areas of concern are in Belmont, Butler, Columbiana, Franklin, Hamilton, Lorain, Mahoning, Montgomery, Richland, Sandusky, Scioto, Seneca, Stark, Summit, Trumbull, and Wyandot Counties. The committal SIP contains all the requirements identified in the July 1, 1987, promulgation of the SIP requirements for PM₁₀ at 52 FR 24681.

(i) Part D—Disapproval—Ohio's Part D TSP plan for the Middletown area is

disapproved. Although USEPA is disapproving the plan, the emission limitations and other requirements in the federally approved SIP remain in effect. See § 52.1870(c)(27).

(j) *Approval*—EPA is approving the PM₁₀ maintenance plan for Cuyahoga and Jefferson Counties that Ohio submitted on May 22, 2000, and July 13, 2000.

(k) *Determinations of Attainment*. EPA has determined, as of November 20, 2009, the Parkerburg-Marietta, WV-OH and the Wheeling, WV-OH PM_{2.5} nonattainment areas have attained the 1997 PM_{2.5} NAAQS. These determinations, in accordance with 40 CFR 52.1004(c), suspend the requirements for these areas to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as these areas continue to meet the 1997 PM_{2.5} NAAQS.

(l) *Disapproval*. EPA is disapproving the portions of Ohio's Infrastructure SIP for the 2006 24-hour PM_{2.5} NAAQS addressing interstate transport, specifically with respect to section 110(a)(2)(D)(i)(I).

(m) *Determination of Attainment*. EPA has determined, as of September 7, 2011, that based upon 2007–2009 air quality data, the Huntington-Ashland, West Virginia-Kentucky-Ohio, nonattainment Area has attained the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this Area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this Area continues to meet the 1997 annual PM_{2.5} NAAQS.

(n) *Determination of Attainment*. EPA has determined, as of September 14, 2011, that based on 2007 to 2009 ambient air quality data, the Cleveland-Akron, Columbus, Dayton-Springfield, and Steubenville-Weirton nonattainment areas have attained the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for these areas

to submit attainment demonstrations, associated reasonably available control measures, reasonable further progress plans, contingency measures, and other planning SIPs related to attainment of the standard for as long as these areas continue to meet the 1997 annual PM_{2.5} NAAQS.

(o) *Determination of Attainment*. EPA has determined, as of September 29, 2011, that based upon 2007–2009 air quality data, the Cincinnati-Hamilton, Ohio-Kentucky-Indiana nonattainment Area has attained the 1997 annual PM_{2.5} NAAQS. This determination, in accordance with 40 CFR 52.1004(c), suspends the requirements for this Area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this Area continues to meet the 1997 annual PM_{2.5} NAAQS.

(p) *Approval*—The 1997 annual PM_{2.5} maintenance plans for the following areas have been approved:

(1) The Ohio portion of the Cincinnati-Hamilton nonattainment area (Butler, Clermont, Hamilton, and Warren Counties), as submitted on January 25, 2011. The maintenance plan establishes 2015 motor vehicle emissions budgets for the Ohio and Indiana portions of the Cincinnati-Hamilton area of 1,678.60 tpy for primary PM_{2.5} and 35,723.83 tpy for NO_x and 2021 motor vehicle emissions budgets of 1,241.19 tpy for primary PM_{2.5} and 21,747.71 tpy for NO_x.

(2) [Reserved]

(q) *Approval*—The 1997 annual PM_{2.5} comprehensive emissions inventories for the following areas have been approved:

(1) Ohio's 2005 NO_x, directly emitted PM_{2.5}, and SO₂ emissions inventory satisfies the emission inventory requirements of section 172(c)(3) for the Cincinnati-Hamilton area.

(2) [Reserved]

(r) *Determination of Attainment*. EPA has determined, as of May 14, 2012, that based on 2008 to 2010 ambient air quality data, the Steubenville-Weirton nonattainment area has attained the 24-hour 2006 PM_{2.5} NAAQS. This determination, in accordance with 40 CFR

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52.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as this area continues to meet the 24-hour 2006 PM_{2.5} NAAQS.

[39 FR 13542, Apr. 15, 1974]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1880, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 52.1881 Control strategy: Sulfur oxides (sulfur dioxide).

(a) USEPA is approving, disapproving or taking no action on various portions of the Ohio sulfur dioxide control plan as noticed below. The disapproved portions of the Ohio plan do not meet the requirements of § 51.13 of this chapter in that they do not provide for attainment and maintenance of the national standards for sulfur oxides (sulfur dioxide). (Where USEPA has approved the State's sulfur dioxide plan, those regulations supersede the federal sulfur dioxide plan contained in paragraph (b) of this section and § 52.1882.)

(1) Approval—USEPA approves the following OAC Rule: 3745-18-01 Definitions, 3745-18-02 Ambient Air Quality Standards-Sulfur Dioxide, 3745-18-05 Ambient and Meteorological Monitoring Requirements, 3745-18-06 General Emission Limit Provisions.

(2) Approval—USEPA approves the Ohio Rules 3745-18-03 Attainment Dates and Compliance Time Schedules except for those provisions listed in § 52.1881(a)(5).

(3) Approval—USEPA approves the Ohio Rules 3745-18-04 Emission Measurement Methods except for those provisions listed in § 52.1881(a)(6).

(4) Notwithstanding the portions of Ohio's sulfur dioxide rules identified in this section that EPA has either disapproved or taken no action on, EPA has approved a complete plan addressing all counties in the State of Ohio. EPA has approved the following rules, supplemented by any additional approved rules specified in 40 CFR 52.1870:

(i) Rules as effective in Ohio on December 28, 1979: OAC 3745-18-04(A), (B),

(C), (D)(1), (D)(4), (E)(1), and (H) (measurement methods), OAC 3745-18-05 (ambient monitoring), OAC 3745-18-09 (Ashland County), OAC 3745-18-13 (Belmont), OAC 3745-18-14 (Brown), OAC 3745-18-16 (Carroll), OAC 3745-18-19 (Clermont)—except for one paragraph approved later (CG&E Beckjord), OAC 3745-18-20 (Clinton), OAC 3745-18-21 (Columbiana), OAC 3745-18-23 (Crawford), OAC 3745-18-25 (Darke), OAC 3745-18-26 (Defiance), OAC 3745-18-27 (Delaware), OAC 3745-18-30 (Fayette), OAC 3745-18-32 (Fulton), OAC 3745-18-36 (Guernsey), OAC 3745-18-39 (Hardin), OAC 3745-18-40 (Harrison), OAC 3745-18-41 (Henry), OAC 3745-18-42 (Highland), OAC 3745-18-43 (Hocking), OAC 3745-18-44 (Holmes), OAC 3745-18-45 (Huron), OAC 3745-18-46 (Jackson), OAC 3745-18-48 (Knox), OAC 3745-18-51 (Licking), OAC 3745-18-52 (Logan), OAC 3745-18-55 (Madison), OAC 3745-18-58 (Medina), OAC 3745-18-59 (Meigs), OAC 3745-18-60 (Mercer), OAC 3745-18-62 (Monroe), OAC 3745-18-64 (Morgan)—except for one paragraph approved later (OP Muskingum River), OAC 3745-18-65 (Morrow), OAC 3745-18-67 (Noble), OAC 3745-18-70 (Perry), OAC 3745-18-73 (Portage), OAC 3745-18-74 (Preble), OAC 3745-18-75 (Putnam), OAC 3745-18-86 (Union), OAC 3745-18-88 (Vinton), OAC 3745-18-89 (Warren), OAC 3745-18-92 (Williams), and OAC 3745-18-94 (Wyandot);

(ii) Rules as effective in Ohio on October 1, 1982: OAC 3745-18-64 (B) (OP Muskingum River in Morgan County);

(iii) Rules as effective in Ohio on May 11, 1987: OAC 3745-18-19(B) (CG&E Beckjord);

(iv) Rules as effective in Ohio on October 31, 1991: OAC 3745-18-04 (D)(7), (D)(8)(a) to (D)(8)(e), (E)(5), (E)(6)(a), (E)(6)(b), (F), and (I) (measurement methods);

(v) Rules as effective in Ohio on July 25, 1996: OAC 3745-18-47 (Jefferson);

(vi) Rules as effective in Ohio on March 21, 2000: OAC 3745-18-04(D)(8), (D)(9), and (E)(7) (measurement methods), OAC 3745-18-22 (Coshocton), OAC 3745-18-33 (Gallia), and OAC 3745-18-71 (Pickaway);

(vii) Rules as effective in Ohio on September 1, 2003: OAC 3745-18-04(F) and (J) (measurement methods), and OAC 3745-18-56 (Mahoning);