

**Environmental Protection Agency**

**§ 52.1472**

**EPA-APPROVED NEVADA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES—  
Continued**

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Explanation
Nevada Regional Haze State Implementation Plan (October 2009), excluding the BART determination for NO <sub>x</sub> at Reid Gardner Generating Station in sections 5.5.3, 5.6.3 and 7.2, which EPA has disapproved.	State-wide .....	11/18/09	77 FR 50936 .....	Excluding Appendix A ("Nevada BART Regulation"). The Nevada BART regulation, including NAC 445B.029, 445B.22095, and 445B.22096, is listed above in 40 CFR 52.1470(c).

<sup>1</sup> Not applicable.  
<sup>1</sup> The organization of this table generally follows from the organization of the State of Nevada's original 1972 SIP, which was divided into 12 sections. Nonattainment and maintenance plans, among other types of plans, are listed under Section 5 (Control Strategy). Lead SIPs and Small Business Stationary Source Technical and Environmental Compliance Assistance SIPs are listed after Section 12 followed by nonregulatory or quasi-regulatory statutory provisions approved into the SIP. Regulatory statutory provisions are listed in 40 CFR 52.1470(c).

[77 FR 14864, Mar. 13, 2012, as amended at 77 FR 17340, Mar. 26, 2012; 77 FR 50951, Aug. 23, 2012; 77 FR 59327, Sept. 27, 2012; 77 FR 60916, Oct. 5, 2012; 77 FR 64049, Oct. 18, 2012; 77 FR 64745, Oct. 23, 2012; 78 FR 1152, Jan. 8, 2013]

**§ 52.1471 Classification of regions.**

The Nevada plan is evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Las Vegas Intrastate .....	I	IA	III	I	I
Northwest Nevada Intrastate .....	I	III	III	III	III
Nevada Intrastate .....	IA	IA	III	III	III

[45 FR 7545, Feb. 4, 1980]

**§ 52.1472 Approval status.**

(a) With the exceptions set forth in this subpart, the Administrator approves Nevada's plan for the attainment and maintenance of the national standards under section 110 of the Clean Air Act.

(b) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in 1977, for the nonattainment areas listed in this paragraph.

- (1) Mason Valley/Fernley Area for TSP.
- (2) Lower Reese River Valley/Clovers Area for TSP.
- (3) Carson Desert for TSP.
- (4) Winnemucca Segment for TSP.
- (5) Truckee Meadows for TSP and CO.
- (6) Las Vegas Valley for TSP and CO.
- (7) Lake Tahoe Basin for CO.

(c) With the exceptions set forth in this subpart, the Administrator approves the plan with respect to Part D, Title I of the Clean Air Act, as amended in the 1977, for the nonattainment areas listed in this paragraph. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the State Implementation Plan (SIP) depends on the adoption and submittal by January 1, 1981 of reasonably available control technology (RACT) requirements for sources covered by Control Technique Guidelines (CTG's) published between January 1978 and January 1979.

- (1) Truckee Meadows for O<sub>3</sub>.
- (2) Las Vegas Valley for O<sub>3</sub>.
- (d) 1997 8-hour ozone NAAQS: The SIPs submitted on February 1, 2008 and August 30, 2012 are partially disapproved for Clean Air Act (CAA) elements 110(a)(2)(C), (D)(ii), (J) and (K)

for the Nevada Division of Environmental Quality (NDEP) and Washoe County portions of the Nevada SIP; and for CAA element 110(a)(2)(F) for the Clark County portion of the Nevada SIP.

(e) *1997 P<sub>2.5</sub> NAAQS*: The SIPs submitted on February 26, 2008 and August 30, 2012 are partially disapproved for CAA elements 110(a)(2)(C), (D)(ii), (J) and (K) for the NDEP and Washoe County portions of the Nevada SIP; and for CAA element 110(a)(2)(F) for the Clark County portion of the Nevada SIP.

(f) *2006 PM<sub>2.5</sub> NAAQS*: The SIPs submitted on September 15, 2009, December 4, 2009, and August 30, 2012 are partially disapproved for CAA elements 110(a)(2)(C), (D)(i)(II) (interfere with measures in any other state to prevent significant deterioration of air quality), (D)(ii), (J) and (K) for the NDEP and Washoe County portions of the Nevada SIP; for CAA element 110(a)(2)(D)(i)(I) for the NDEP, Washoe County, and Clark County portions of the Nevada SIP; and for CAA element 110(a)(2)(F) for the Clark County portion of the Nevada SIP.

[46 FR 21766, Apr. 14, 1981, as amended at 47 FR 27069, June 23, 1982; 77 FR 64748, Oct. 23, 2012]

#### § 52.1473 General requirements.

(a) The requirements of § 51.116(c) of this chapter are not met in Washoe County, since the plan does not provide procedures for making emission data, as correlated with allowable emissions, available to the public. In addition, Chapter 020.065 of the “Air Pollution Control Regulations” of the District Board of Health of Washoe County in the Northwest Nevada Intrastate Region is disapproved since it contains provisions which restrict the public availability of emission data as correlated with applicable emission limitations and other control measures.

(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 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 10878, May 31, 1972, as amended at 37 FR 15086, July 27, 1972; 38 FR 12708, May 14, 1973; 40 FR 55331, Nov. 28, 1975; 43 FR 1342, Jan. 24, 1978; 51 FR 40676, Nov. 7, 1986]