

**§ 49.10439**

**§ 49.10439 Permits to operate.**

Permits to operate are required for sources not subject to 40 CFR Part 71 in accordance with the requirements of § 49.139.

**§ 49.10440 Federally-promulgated regulations and Federal implementation plans.**

The following regulations are incorporated and made part of the implementation plan for the Nisqually Reservation:

- (a) Section 49.123 General provisions.
- (b) Section 49.124 Rule for limiting visible emissions.
- (c) Section 49.125 Rule for limiting the emissions of particulate matter.
- (d) Section 49.126 Rule for limiting fugitive particulate matter emissions.
- (e) Section 49.129 Rule for limiting emissions of sulfur dioxide.
- (f) Section 49.130 Rule for limiting sulfur in fuels.
- (g) Section 49.131 General rule for open burning.
- (h) Section 49.135 Rule for emissions detrimental to public health or welfare.
- (i) Section 49.137 Rule for air pollution episodes.
- (j) Section 49.138 Rule for the registration of air pollution sources and the reporting of emissions.
- (k) Section 49.139 Rule for non-Title V operating permits.

**§§ 49.10441-49.10460 [Reserved]**

**IMPLEMENTATION PLAN FOR THE NOOKSACK INDIAN TRIBE OF WASHINGTON**

SOURCE: 70 FR 18121, Apr. 8, 2005, unless otherwise noted.

**§ 49.10461 Identification of plan.**

This section and §§ 49.10462 through 49.10490 contain the implementation plan for the Nooksack Indian Tribe. This plan consists of a combination of Tribal rules and measures and Federal regulations and measures which apply within the Reservation of the Nooksack Indian Tribe.

**§ 49.10462 Approval status.**

There are currently no EPA-approved Tribal rules or measures in the imple-

mentation plan for the Reservation of the Nooksack Indian Tribe.

**§ 49.10463 Legal authority. [Reserved]**

**§ 49.10464 Source surveillance. [Reserved]**

**§ 49.10465 Classification of regions for episode plans.**

The air quality control region which encompasses the Reservation of the Nooksack Indian Tribe is classified as follows for purposes of episode plans:

Pollutant	Classification
Carbon monoxide .....	III
Nitrogen dioxide .....	III
Ozone .....	III
Particulate matter (PM10) .....	II
Sulfur oxides .....	II

**§ 49.10466 Contents of implementation plan.**

The implementation plan for the Reservation of the Nooksack Indian Tribe consists of the following rules, regulations, and measures:

- (a) Section 49.123 General provisions.
- (b) Section 49.124 Rule for limiting visible emissions.
- (c) Section 49.125 Rule for limiting the emissions of particulate matter.
- (d) Section 49.126 Rule for limiting fugitive particulate matter emissions.
- (e) Section 49.129 Rule for limiting emissions of sulfur dioxide.
- (f) Section 49.130 Rule for limiting sulfur in fuels.
- (g) Section 49.131 General rule for open burning.
- (h) Section 49.135 Rule for emissions detrimental to public health or welfare.
- (i) Section 49.137 Rule for air pollution episodes.
- (j) Section 49.138 Rule for the registration of air pollution sources and the reporting of emissions.
- (k) Section 49.139 Rule for non-Title V operating permits.

**§ 49.10467 EPA-approved Tribal rules and plans. [Reserved]**

**§ 49.10468 Permits to construct.**

Permits to construct are required for new major stationary sources and major modifications to existing major